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*Counsel for the ResCap Liquidating Trust  
and the ResCap Borrower Claims Trust*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:	)	Case No. 12-12020 (MG)
	)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,	)	Chapter 11
	)	
Debtors.	)	Jointly Administered
-----	)	

**RESPONSE OF THE RESCAP LIQUIDATING TRUST AND THE RESCAP  
BORROWER CLAIMS TRUST TO ORDER TO SHOW CAUSE WHY COURT  
SHOULD NOT DETERMINE TOM FRANKLIN TO BE A VEXATIOUS LITIGATOR  
AND EITHER IMPOSE SANCTIONS OR ISSUE AN INJUNCTION ENJOINING  
FUTURE FILINGS BY FRANKLIN**

The ResCap Liquidating Trust and the ResCap Borrower Claims Trust (collectively, the “Trusts”), each established pursuant to the terms of the Plan filed in the above-captioned Chapter 11 Cases, as successors in interest to the above-captioned Debtors, by and through undersigned counsel, hereby submits this response (the “Response”) to the *Order To Show Cause Why Court Should Not Determine Tom Franklin To Be A Vexatious Litigator And Either Impose Sanctions Or Issue An Injunction Enjoining Future Filings By Franklin*, **Docket No. 8074**.<sup>1</sup> The Trusts respectfully state as follows:

1. As the Court points out in the Order to Show Cause (the “OTSC”), Mr. Franklin has been a very active participant in these Chapter 11 cases; however, as the Court notes, Mr. Franklin has improperly inserted himself into disputes that do not concern him and in which he lacks standing to object to the relief being sought. Notwithstanding the Court’s repeated denials of Mr. Franklin’s oppositions, Mr. Franklin remains undeterred and instead opts to further litigate the matters on appeal. At this time, the Trusts are aware of at least three active appeals involving Mr. Franklin arising from these Chapter 11 Cases.

2. Unfortunately, Mr. Franklin’s *modus operandi* is not foreign to the Debtors. Dating back to the beginning of 2010, Mr. Franklin has filed five (5) complaints in Texas,<sup>2</sup> New York,<sup>3</sup> the District of Columbia<sup>4</sup> and Illinois<sup>5</sup> against one or more of the Debtors,

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<sup>1</sup> Mr. Franklin submitted, what appears to be, a second response that was docketed on March 5, 2015, See **Docket No. 8245**.

<sup>2</sup> See Case No. 09-cv-777 (N.D. Tex.). A copy of the docket is attached hereto as **Exhibit 1**.

<sup>3</sup> See Case No. 10-cv-3912 (E.D.N.Y.). A copy of the docket is attached hereto as **Exhibit 2**. See also Case No. 10-cv-847 (N.D. Tex.) for the transferred proceeding, together with Case No. 11-10089 (5<sup>th</sup> Cir.) and Case No. 10-11245 (N.D. Tex.) for the appellate proceedings. Copies of the respective dockets are attached hereto as **Exhibits 2-A, 2-B & 2-C**.

<sup>4</sup> See Case No. 10-cv-1583 (D. D.C.). A copy of the docket is attached hereto as **Exhibit 3**. See also Case No. 10-cv-781 (N.D. Tex.) for the transferred proceeding. A copy of the docket is attached hereto as **Exhibit 3-A**.

wherein he alleges predatory lending claims against the Debtors. Mr. Franklin has not been successful in any of these matters. The courts have dismissed those complaints with prejudice or for lack of prosecution or for the failure to state a claim. Notwithstanding his lack of success at the trial level, Mr. Franklin regularly exercises his appellate rights before both the district courts as well as the circuit courts of appeals, but has not found any more success in the appellate courts. Moreover, since the commencement of these Chapter 11 Cases, Mr. Franklin has also filed four (4) separate Petitions for Declaratory Judgment under the Fair Debt Collection Practices Act in Connecticut,<sup>6</sup> Pennsylvania,<sup>7</sup> Texas<sup>8</sup> and Delaware<sup>9</sup>, wherein Mr. Franklin seeks to stay pending foreclosure proceedings and requests a monetary award of \$10 million for purported illegal foreclosure practices. Like his predatory lending complaints, Mr. Franklin has never prevailed on the merits in any of these actions. In fact, in each one of the declaratory judgment actions, the courts have transferred the cases to sister courts, but before the court to which the matter is transferred can address the merits of the action, Mr. Franklin appeals the transfer order to the circuit court of appeals.

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<sup>5</sup> See Case No. 12-cv-667 and 12-cv-6087 (N.D. Ill.). Copies of the dockets are attached hereto as **Exhibit 4 & 5**. See also Case No. 12-2908 (7<sup>th</sup> Cir.) for the appeal from Case No. 12-cv-6087. A copy of the appellate docket is attached hereto as **Exhibit 5-A**.

<sup>6</sup> See Case No. 12-cv-1217 (D. Conn.). A copy of the docket is attached hereto as **Exhibit 6**.

<sup>7</sup> See Case No. 13-cv-46 (W.D. Pa.). A copy of the docket is attached hereto as **Exhibit 7**. See also Case No. 13-cv-171 (E.D. Pa.) for the transferred proceeding, together with Case No. 13-1196 (3d Cir.) and Case No. 13-1514 (3d Cir.) for the appellate proceedings. Copies of the respective dockets are attached hereto as **Exhibits 7-A, 7-B & 7-C**.

<sup>8</sup> See Case No. 13-cv-1680 (N.D. Tex.). A copy of the docket is attached hereto as **Exhibit 8**. See also Case No. 13-cv-444 (N.D. Tex.) for the transferred proceeding, together with Case No. 13-10613 (5<sup>th</sup> Cir.) and Case No. 14-10291 (5<sup>th</sup> Cir.) for the appellate proceedings. Copies of the respective dockets are attached hereto as **Exhibits 8-A, 8-B & 8-C**.

<sup>9</sup> See Case No. 13-cv-1086 (D. Del.). A copy of the docket is attached hereto as **Exhibit 9**. See also Case No. 13-cv-646 (N.D. Tex.) for the transferred proceeding, together with Case No. 13-3415 (3d Cir.) for the appellate proceeding. Copies of the respective dockets are attached hereto as **Exhibits 9-A & 9-B**.

3. One of the factors for the Court to consider when deciding whether to issue a filing injunction is the “litigant’s history of litigation and in particular whether it entailed vexatious, harassing or duplicative lawsuits.” *See Safir v. U.S. Lines, Inc.*, 792 F.2d 19, 24 (2d Cir. 1986). The Trusts believe that filing five lawsuits in less than three years in four different jurisdictions, which are all predicated on the same cause of action (i.e., predatory lending), as well as four declaratory judgment actions in four different jurisdictions, which are also predicated on the same federal statute – the Fair Debt Collection Practices Act, is properly described, at a minimum, as harassing and duplicative.

4. Mr. Franklin has shown disrespect to the Court and a complete disregard for the sanctity of the automatic stay that took effect in these Chapter 11 Cases on May 14, 2012. His frivolous, meritless and disruptive filings do not address the merits of the matter to which he purportedly responds, and his filings only create unnecessary expense for the Court, its staff, and the Trusts. The most recent evidence of his disorganized and irrelevant filings is his response to the OTSC, wherein he discusses motions to dismiss and summary judgment motions, and ignores the direction from the Court to explain why he should not be deemed a vexatious litigator. *See* D.E. 8147.

5. The Debtors’ assets are currently being liquidated and managed by the Trusts, each of which has finite resources and neither of which should be utilized to address utterly frivolous litigation. An injunction that curbs Mr. Franklin’s litigious tendencies will benefit the Trusts and all parties in interest, including, most importantly, the Trusts’ constituents, as it will preserve the resources of both Trusts.

**CONCLUSION**

6. The Trusts welcome the imposition of monetary sanctions against Mr. Franklin and believe they are warranted. However, it is equally important, if not more so, to ensure Mr. Franklin is not allowed to file anything further in these chapter 11 proceedings, and therefore, the Trusts respectfully request the Court to issue such an injunctive order.

Dated: March 6, 2015  
New York, New York

/s/ Norman S. Rosenbaum  
Norman S. Rosenbaum  
Jordan A. Wishnew  
MORRISON & FOERSTER LLP  
250 West 55<sup>th</sup> Street  
New York, New York 10019  
Telephone: (212) 468-8000  
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*Counsel for the ResCap Liquidating Trust and the  
ResCap Borrower Claims Trust*

**Exhibit 1**

CLOSED,JURY,PAPER\_REQUIRED

**U.S. District Court  
Northern District of Texas (Fort Worth)  
CIVIL DOCKET FOR CASE #: 4:09-cv-00777-A**

Franklin v. GMAC Mortgage et al  
Assigned to: Judge John McBryde  
Cause: 12:1461 Homeowners Loan Act

Date Filed: 12/31/2009  
Date Terminated: 03/21/2010  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Civil Rights  
Jurisdiction: Federal Question

**Plaintiff**

**Tom Franklin**

represented by **Tom Franklin**  
5633 Oak Grove Road  
Fort Worth, TX 76134  
Email: frenklinart@aol.com  
PRO SE

V.

**Defendant**

**GMAC Mortgage**

represented by **Thomas G Yoxall**  
Locke Lord LLP  
2200 Ross Avenue, Suite 2200  
Dallas, TX 75201-6776  
214/740-8683  
Fax: 214/740-8800  
Email: tyoxall@lockelord.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Jennifer A Brissette**  
Locke Lord LLP  
2200 Ross Ave  
Suite 2200  
Dallas, TX 75201-6776  
214/740-8625  
Fax: 214/756-8625  
Email: jabrissette@post.harvard.edu  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Defendant**

**US Bank National Association**

represented by **Thomas G Yoxall**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Bar Status: Admitted/In Good Standing*

**Jennifer A Brisette**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**  
*Bar Status: Admitted/In Good Standing*

**Defendant**

**Homecoming Financial Network**

represented by **Thomas G Yoxall**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Bar Status: Admitted/In Good Standing*

**Jennifer A Brisette**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**  
*Bar Status: Admitted/In Good Standing*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
12/31/2009	<a href="#"><u>1</u></a>	COMPLAINT against GMAC Mortgage, US Bank National Association, Homecoming Financial Network filed by Tom Franklin. (Filing fee \$350; Receipt number FW10254) (Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet, # <a href="#"><u>2</u></a> Civil Filing Notice) (cxb) (Entered: 01/04/2010)
12/31/2009	<a href="#"><u>2</u></a>	Summons Issued as to GMAC Mortgage, US Bank National Association, Homecoming Financial Network. (cxb) (Entered: 01/04/2010)
12/31/2009	<a href="#"><u>3</u></a>	CERTIFICATE OF INTERESTED PERSONS by Tom Franklin. (cxb) (Entered: 01/04/2010)
12/31/2009	<a href="#"><u>4</u></a>	Standing ORDER Concerning Paper Filing in Cases Assigned to District Judge John McBryde...see order for specifics. (Ordered by Judge John McBryde on 12/31/2009) (cxb) Modified on 1/4/2010/Dist 1/4 (cxb). (Entered: 01/04/2010)
01/08/2010	<a href="#"><u>5</u></a>	ORDER: The court ORDERS Franklin to file an amended complaint by January 27, 2010, that complies with Rules 8(a) (1) and (2) of the Federal Rules of Civil Procedure. The court further ORDERS that Franklin's failure to timely comply with this order could result dismissal of the above captioned action without further notice. (Ordered by Judge John McBryde on 1/8/2010) [Copy to pla 1/8] (cxb) (Entered: 01/08/2010)
01/12/2010	<a href="#"><u>6</u></a>	AMENDED CLASS ACTION COMPLAINT BASED UPON PREDATORY LENDING AND MORTGAGE FRAUD WITH JURY DEMAND against



		GMAC Mortgage, US Bank National Association, Homecoming Financial Network filed by Tom Franklin. (cxb) (Entered: 01/12/2010)
02/10/2010	<a href="#">7</a>	MOTION to Dismiss filed by GMAC Mortgage, US Bank National Association, Homecoming Financial Network with Brief in Support. (cxb) (Entered: 02/10/2010)
02/10/2010	<a href="#">8</a>	Appendix in Support filed by GMAC Mortgage, US Bank National Association, Homecoming Financial Network re <a href="#">7</a> MOTION to Dismiss. (cxb) (Entered: 02/10/2010)
02/10/2010	<a href="#">9</a>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by GMAC Mortgage, US Bank National Association, Homecoming Financial Network. (cxb) (Entered: 02/10/2010)
03/01/2010	<a href="#">10</a>	RESPONSE filed by Tom Franklin re: <a href="#">7</a> MOTION to Dismiss (krg) (Entered: 03/01/2010)
03/04/2010	<a href="#">11</a>	REPLY filed by GMAC Mortgage, US Bank National Association, Homecoming Financial Network re: <a href="#">7</a> MOTION to Dismiss. (cxb) (Entered: 03/04/2010)
03/11/2010	<a href="#">12</a>	RESPONSE filed by Tom Franklin re: <a href="#">7</a> MOTION to Dismiss (krg) (Entered: 03/11/2010)
03/21/2010	<a href="#">13</a>	MEMORANDUM OPINION AND ORDER granting <a href="#">7</a> Motion to Dismiss... that whatever claims and causes of action plaintiff, Tom Franklin, purports to assert against defendants, GMAC Mortgage, LLC, US Bank National Association, and Homecomings Financial, LLC, be, and are hereby, dismissed with prejudice. See Order for further specifics. (Ordered by Judge John McBryde on 3/21/2010) (krg) (copy to Franklin) Modified on 3/22/2010 (krg). (Entered: 03/22/2010)
03/21/2010	<a href="#">14</a>	FINAL JUDGMENT... all claims and causes of action asserted by plaintiff against defendants are hereby dismissed with prejudice. See Judgment for further specifics. (Ordered by Judge John McBryde on 3/21/2010) (krg)(copy to Franklin) (Entered: 03/22/2010)
04/26/2010	<a href="#">15</a>	AFFIDAVIT (Administrative Remedy) by Tom Franklin (NOD) (krg) (Entered: 04/26/2010)
04/26/2010	<a href="#">16</a>	ORDER STRIKING/UNFILING PLEADING unfiling <a href="#">15</a> Administrative Remedy filed by Tom Franklin due to the following deficiency: Case closed by order and final judgment signed March 21, 2010. Document filed by plaintiff is nonsensical and makes no attempt to explain its purpose, the attachments thereto, or their relevance to plaintiff's case, or why they are relevant in any event to a matter that the court previously dismissed. (Ordered by Judge John McBryde on 4/26/2010) (krg) (Entered: 04/27/2010)
04/27/2010		***Clerk's Notice of delivery: (see NEF for details) Docket No:16. Tue Apr 27 10:51:06 CDT 2010 (crt) (Entered: 04/27/2010)

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Description:	Docket Report	Search Criteria:	4:09-cv-00777-A
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**Exhibit 2**

CLOSED,NPROSE,TransferredOutCase-DoNotDocket

**U.S. District Court**  
**Eastern District of New York (Brooklyn)**  
**CIVIL DOCKET FOR CASE #: 1:10-cv-03912-CBA-LB**

Franklin v. US Bank National Association et al  
Assigned to: Chief Judge Carol Bagley Amon  
Referred to: Magistrate Judge Lois Bloom  
Cause: 28:1331 Fed. Question

Date Filed: 08/20/2010  
Date Terminated: 11/04/2010  
Jury Demand: None  
Nature of Suit: 890 Other Statutory  
Actions  
Jurisdiction: Federal Question

**Plaintiff**

**Tom Franklin**

represented by **Tom Franklin**  
5633 Oak Grove Road N  
Fort Worth, TX 76134  
PRO SE

V.

**Defendant**

**US Bank National Association**

**Defendant**

**GMAC Mortgage**

Date Filed	#	Docket Text
08/20/2010	<u><a href="#">1</a></u>	COMPLAINT against GMAC Mortgage, US Bank National Association, filed by Tom Franklin. (Attachments: # <u><a href="#">1</a></u> Civil Cover Sheet) (Davis, Kimberly) (Entered: 08/27/2010)
08/20/2010	<u><a href="#">2</a></u>	MOTION for Leave to Proceed in forma pauperis by Tom Franklin. (Davis, Kimberly) (Entered: 08/27/2010)
11/04/2010	<u><a href="#">3</a></u>	TRANSFER ORDER: The Clerk of Court is directed to transfer this case to the United States District Court for the Northern District of Texas. No summonses shall issue from this Court. A ruling on plaintiff's application to proceed <i>in forma pauperis</i> is reserved for the transferee Court. That provision of Rule 83.1 of the Local Rules of the Eastern District of New York which requires a seven day delay is waived. Case transferred to Northern District of Texas. Original file, certified copy of transfer order, and docket sheet sent via CM/ECF. <b>ALL FILINGS ARE TO BE MADE IN THE TRANSFER COURT, DO NOT DOCKET TO THIS CASE.</b> Ordered by Judge Carol B. Amon on 11/4/2010. (c/m to pro se) (Lee, Tiffeny) (Entered: 11/05/2010)

11/08/2010	CASE: 1:10-cv-03912 DETAILS: Case transferred from New York Eastern has been opened in Northern District of Texas as case 4:10-cv-00847, filed 11/05/2010. (Marziliano, August) (Entered: 11/08/2010)
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<b>Billable Pages:</b>	2	<b>Cost:</b>	0.20

**Exhibit 2-A**

CLOSED

**U.S. District Court  
Northern District of Texas (Fort Worth)  
CIVIL DOCKET FOR CASE #: 4:10-cv-00847-Y**

Franklin v. US Bank National Association et al

Assigned to: Judge Terry R Means

Case in other court: Fifth Circuit, 10-11245

U S Court of Appeals Fifth Circuit, 11-  
10089

New York Eastern, 1:10-cv-03912

Cause: 28:1331 Fed. Question

Date Filed: 11/05/2010

Date Terminated: 12/14/2010

Jury Demand: None

Nature of Suit: 890 Other Statutes:

Other Statutory Actions

Jurisdiction: Federal Question

**Plaintiff**

**Tom Franklin**

represented by **Tom Franklin**

5633 Oak Grove Road

Fort Worth, TX 76134

Email: frenklinart@aol.com

PRO SE

V.

**Defendant**

**US Bank National Association**

**Defendant**

**GMAC Mortgage**

Date Filed	#	Docket Text
08/20/2010	<a href="#"><u>1</u></a>	COMPLAINT against GMAC Mortgage, US Bank National Association, filed by Tom Franklin. (Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet) (Davis, Kimberly) [Transferred from New York Eastern on 11/5/2010.] (Entered: 08/27/2010)
08/20/2010	<a href="#"><u>2</u></a>	MOTION for Leave to Proceed in forma pauperis by Tom Franklin. (Davis, Kimberly) [Transferred from New York Eastern on 11/5/2010.] (Entered: 08/27/2010)
11/04/2010	<a href="#"><u>3</u></a>	TRANSFER ORDER: The Clerk of Court is directed to transfer this case to the United States District Court for the Northern District of Texas. No summonses shall issue from this Court. A ruling on plaintiff's application to proceed <i>in forma pauperis</i> is reserved for the transferee Court. That provision of Rule 83.1 of the Local Rules of the Eastern District of New York which requires a seven day delay is waived. Case transferred to Northern District of Texas. Original file, certified copy of transfer order, and docket sheet sent via CM/ECF. <b>ALL</b>

		<b>FILINGS ARE TO BE MADE IN THE TRANSFER COURT, DO NOT DOCKET TO THIS CASE.</b> Ordered by Judge Carol B. Amon on 11/4/2010. (c/m to pro se) (Lee, Tiffeny) [Transferred from New York Eastern on 11/5/2010.] (Entered: 11/05/2010)
11/05/2010	<u>4</u>	Case electronically transferred in from District of New York Eastern; Case Number 1:10-cv-03912. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas should seek admission promptly. <a href="#">Forms and Instructions</a> found at www.txnd.uscourts.gov. Copy of NEF to be sent US Mail to parties not electronically noticed. (Entered: 11/05/2010)
11/05/2010		New Case Notes: A filing fee has not been paid. CASREF case referral set (see Special Order 3). Magistrate Judge Cureton preliminarily assigned. File to staff attorney DK. (krg) (Entered: 11/05/2010)
11/08/2010	<u>5</u>	NOTICE OF DEFICIENCY AND ORDER REGARDING IN FORMA PAUPERIS STATUS: plaintiff(s) has 30 days to cure the following deficiency: Plaintiff must provide additional information about his available assets and expenses. Failure to comply with this order may lead to dismissal for failure to prosecute pursuant to FRCvP 41(b)... Service of process shall be withheld pending review pursuant to 28 USC 1915(e)(2)... See Order for further specifics. (Ordered by Magistrate Judge Jeffrey L Cureton on 11/8/2010) (krg) (Entered: 11/08/2010)
11/08/2010		***Clerk's Notice of delivery: (see NEF for details) Docket No:5. Mon Nov 8 14:54:12 CST 2010 (crt) (Entered: 11/08/2010)
12/07/2010	<u>6</u>	NOTICE OF INTERLOCUTORY APPEAL to the Fifth Circuit (unclear as to what is being appealed), by Tom Franklin, Pro Se, \$455 fee due, IFP papers mailed w/ NOA to T Franklin, T.O. form to appellant electronically at <a href="#">Transcript Order Form</a> or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. (tle) (Entered: 12/08/2010)
12/07/2010		NOTICE <u>6</u> Notice of Appeal was sent to Southern District of New York by Tom Franklin on 11/19/10. It was then forwarded to Eastern District of New York on 11/26/10. This case was transferred to USDC Fort Worth Division pursuant to Judge Amon's 11/4/10 Order. Notice of Appeal <u>6</u> received in USDC Dallas Division and forwarded to USDC Fort Worth Division on 12/7/10. (tle) (Entered: 12/09/2010)
12/13/2010	<u>7</u>	ORDER RETURNING CASE TO DISTRICT JUDGE... see Order for specifics. (Ordered by Magistrate Judge Jeffrey L Cureton on 12/13/2010) (krg) (Entered: 12/13/2010)
12/13/2010		***Clerk's Notice of delivery: (see NEF for details) Docket No:7. Mon Dec 13 11:06:04 CST 2010 (crt) (Entered: 12/13/2010)
12/14/2010	<u>8</u>	ORDER OF DISMISSAL FOR LACK OF PROSECUTION: plaintiff Tom Franklin was ordered to cure a deficiency in his in-forma-pauperis application by filing an asset and expense questionnaire within 30 days. As of the date of this order, however, plaintiff Franklin has failed to cure the deficiency, or otherwise file any document responsive to the Court's order. Therefore, all of Plaintiff's claims are DISMISSED for lack of prosecution, without prejudice to



		their being refiled. See FED. R. CIV. P. 41(b). (Ordered by Judge Terry R Means on 12/14/2010) (cxb) (Entered: 12/14/2010)
12/14/2010	<a href="#">9</a>	FINAL JUDGMENT: all of Plaintiff's claims are DISMISSED for lack of prosecution, without prejudice to being refiled. All costs of court are taxed against the party that incurred them. (Ordered by Judge Terry R Means on 12/14/2010) (cxb) (Entered: 12/14/2010)
12/14/2010		***Clerk's Notice of delivery: (see NEF for details) Docket No:8, 9. Tue Dec 14 15:00:44 CST 2010 (crt) (Entered: 12/14/2010)
12/20/2010	10	USCA Case Number 10-11245 in Fifth Circuit for <a href="#">6</a> Notice of Appeal, filed by Tom Franklin. (uls) (Entered: 12/20/2010)
12/20/2010	<a href="#">11</a>	NOTICE OF APPEAL to the Fifth Circuit as to <a href="#">8</a> Order,, <a href="#">9</a> Judgment by Tom Franklin forwarded from USCA5, received at USCA5 on 12/20/10, Pro Se, \$455 fee due, IFP w/ copy NOA mailed to Tom Franklin, No hearings held, T.O. form to appellant electronically at <a href="#">Transcript Order Form</a> or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. (tle) (Entered: 01/19/2011)
02/08/2011		USCA Case Number 11-10089 in USCA5 for <a href="#">11</a> Notice of Appeal, filed by Tom Franklin. (tle) (Entered: 02/08/2011)
02/10/2011	<a href="#">12</a>	JUDGMENT/MANDATE of USCA #10-11245 as to <a href="#">6</a> Notice of Appeal, filed by Tom Franklin, filed by Tom Franklin...Accordingly, we are without jurisdiction and the appeal must be dismissed.IT IS SO ORDERED. Issued as Mandate: 2/2/2011. (tle) (Entered: 02/10/2011)
02/14/2011	<a href="#">13</a>	MOTION for Leave to Proceed in forma pauperis on appeal <a href="#">11</a> filed by Tom Franklin,received at USCA5 on 2/11/11 and forwarded to USDC Fort Worth on 2/14/11. (tle) (Entered: 02/14/2011)
02/15/2011	<a href="#">14</a>	NOTICE OF DEFICIENCY AND ORDER REGARDING IN FORMA PAUPERIS STATUS <a href="#">11</a> that plaintiff(s) has 30 days to cure the following deficiency: Plaintiff must provide additional information about his available assets and expenses. Failure to comply with this order may lead to dismissal for failure to prosecute pursuant to FRCvP 41(b). See Order for specifics. (Ordered by Judge Terry R Means on 2/15/2011) (krg) (Entered: 02/15/2011)
02/15/2011		***Clerk's Notice of delivery: (see NEF for details) Docket No:14. Tue Feb 15 16:29:51 CST 2011 (crt) (Entered: 02/15/2011)
03/21/2011	<a href="#">15</a>	ORDER DENYING MOTION TO PROCEED IN FORMA PAUPERIS denying <a href="#">13</a> Motion for Leave to Proceed in forma pauperis. See Order for specifics. (Ordered by Judge Terry R Means on 3/21/2011) (krg) (Entered: 03/21/2011)
03/21/2011		***Clerk's Notice of delivery: (see NEF for details) Docket No:15. Mon Mar 21 12:22:10 CDT 2011 (crt) (Entered: 03/21/2011)
05/19/2011	<a href="#">16</a>	Record on Appeal for USCA5 11-10089 (related to <a href="#">11</a> appeal): Record consisting of: 1 Volume(s) ECF electronic record, transmitted to USCA5. (tle) (Entered: 05/19/2011)

06/01/2011		NOTICE of Docketing Record on Appeal from USCA re <a href="#">11</a> Notice of Appeal, filed by Tom Franklin. USCA Case Number 11-10089, received on 5/24/11. (tle) (Entered: 06/01/2011)
10/18/2011	<a href="#">17</a>	JUDGMENT/MANDATE of USCA #11-10089 as to <a href="#">11</a> Notice of Appeal, filed by Tom Franklin...It is ordered and adjudged that the appeal is dismissed as frivolous...IT IS FURTHER ORDERED that appellant pay to appellees the costs on appeal to be taxed by the Clerk of this Court. Issued as Mandate: 10/13/2011. (tle) (Entered: 10/19/2011)
10/18/2011	<a href="#">18</a>	Opinion of USCA #11-10089(certified copy) in accordance with USCA judgment re <a href="#">11</a> Notice of Appeal, filed by Tom Franklin...MOTION FOR IFP DENIED; APPEAL DISMISSED. (tle) (Entered: 10/19/2011)
10/18/2011	<a href="#">19</a>	Appeal Record Returned:USCA #11-10089,( no original documents) the electronic copy of the record has been recycled. (tle) (Entered: 10/19/2011)

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<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	4:10-cv-00847-Y
<b>Billable Pages:</b>	3	<b>Cost:</b>	0.30

**Exhibit 2-B**

General Docket  
 United States Court of Appeals for the 5th Circuit

<b>Court of Appeals Docket #:</b> 10-11245 <b>Nature of Suit:</b> 3890 Other Statutory Actions Tom Franklin v. US Bank NA, et al <b>Appeal From:</b> Northern District of Texas, Fort Worth <b>Fee Status:</b> Fee Due		<b>Docketed:</b> 12/13/2010 <b>Termed:</b> 02/02/2011										
<b>Case Type Information:</b> 1) Private Civil Federal 2) Private 3)												
<b>Originating Court Information:</b> <b>District:</b> 0539-4 : <a href="#">4:10-CV-847</a> <b>Originating Judge:</b> Terry R. Means, U.S. District Judge <b>Date Filed:</b> 11/05/2010 <b>Date NOA Filed:</b> 12/07/2010												
<b>Date Rec'd COA:</b> 12/08/2010												
<b>Prior Cases:</b> None												
<b>Current Cases:</b> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 15%;">Related</th> <th style="text-align: left; width: 15%;">Lead</th> <th style="text-align: left; width: 15%;">Member</th> <th style="text-align: left; width: 15%;">Start</th> <th style="text-align: left; width: 15%;">End</th> </tr> </thead> <tbody> <tr> <td></td> <td>10-11245</td> <td><a href="#">11-10089</a></td> <td>01/27/2011</td> <td></td> </tr> </tbody> </table>			Related	Lead	Member	Start	End		10-11245	<a href="#">11-10089</a>	01/27/2011	
Related	Lead	Member	Start	End								
	10-11245	<a href="#">11-10089</a>	01/27/2011									
<b>Panel Assignment:</b> Not available												

TOM FRANKLIN Plaintiff - Appellant	Tom Franklin Direct: 817-293-2960 [NTC Pro Se] 5633 Oak Grove Road Fort Worth, TX 76134-0000
v.	
U.S. BANK, N.A. Defendant - Appellee	
GMAC MORTGAGE Defendant - Appellee	



TOM FRANKLIN,

Plaintiff - Appellant

v.

U.S. BANK, N.A.; GMAC MORTGAGE,

Defendants - Appellees

12/13/2010	<input type="checkbox"/> 	PRIVATE CIVIL FEDERAL CASE docketed. NOA filed by Appellant Mr. Tom Franklin [10-11245] (RFP)
	5 pg, 244.21 KB	
12/28/2010	<input type="checkbox"/>	INITIAL CASE CHECK by Attorney Advisor complete, [10-11245] (SRF)
02/02/2011	<input type="checkbox"/> 	COURT ORDER FILED dismissing appeal for lack of jurisdiction [6731370-2]. Judge: EHJ , Judge: JLD ,
	3 pg, 119.38 KB	Judge: EBC (IN DETAIL) [10-11245] (MVM)

Clear All

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5th Circuit - Appellate - 03/04/2015 16:06:23			
PACER Login:	rc7991:4245705:0	Client Code:	Rescap
Description:	Docket Report (full)	Search Criteria:	10-11245
Billable Pages:	1	Cost:	0.10

**Exhibit 2-C**



General Docket  
 United States Court of Appeals for the 5th Circuit

<b>Court of Appeals Docket #:</b> 11-10089 <b>Nature of Suit:</b> 3890 Other Statutory Actions Tom Franklin v. U.S. Bank, N.A., et al <b>Appeal From:</b> Northern District of Texas, Fort Worth <b>Fee Status:</b> Fee Due		<b>Docketed:</b> 01/27/2011 <b>Termed:</b> 09/13/2011										
<b>Case Type Information:</b> 1) Private Civil Federal 2) Private 3)												
<b>Originating Court Information:</b> <b>District:</b> 0539-4 : <a href="#">4:10-CV-847</a> <b>Originating Judge:</b> Terry R. Means, U.S. District Judge <b>Date Filed:</b> 11/05/2010 <b>Date NOA Filed:</b> 12/20/2010												
<b>Date Rec'd COA:</b> 01/19/2011												
<b>Prior Cases:</b> None												
<b>Current Cases:</b> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 15%;">Related</th> <th style="text-align: left; width: 20%;">Lead</th> <th style="text-align: left; width: 20%;">Member</th> <th style="text-align: left; width: 20%;">Start</th> <th style="text-align: left; width: 25%;">End</th> </tr> </thead> <tbody> <tr> <td></td> <td><a href="#">10-11245</a></td> <td>11-10089</td> <td>01/27/2011</td> <td></td> </tr> </tbody> </table>			Related	Lead	Member	Start	End		<a href="#">10-11245</a>	11-10089	01/27/2011	
Related	Lead	Member	Start	End								
	<a href="#">10-11245</a>	11-10089	01/27/2011									
<b>Panel Assignment:</b> Not available												

TOM FRANKLIN Plaintiff - Appellant	Tom Franklin Direct: 817-293-2960 [NTC Pro Se] 5633 Oak Grove Road Fort Worth, TX 76134-0000
v.	
U.S. BANK, N.A. Defendant - Appellee	
GMAC MORTGAGE Defendant - Appellee	

TOM FRANKLIN,

Plaintiff - Appellant

v.

US BANK NATIONAL ASSOCIATION; GMAC MORTGAGE,

Defendants - Appellees

01/27/2011	<input type="checkbox"/>	PRIVATE CIVIL FEDERAL CASE docketed. NOA filed by Appellant Mr. Tom Franklin [11-10089] (RFP) 9 pg, 397.67 KB
01/31/2011	<input type="checkbox"/>	INITIAL CASE CHECK by Attorney Advisor complete, Action: Case OK to Process. [6729224-2] Initial AA Check Due satisfied.. Fee due on 02/14/2011 for Appellant Tom Franklin [11-10089] (RFP) 1 pg, 81.03 KB
02/11/2011	<input type="checkbox"/>	FORWARDING MOTION for IFP received from Appellant Mr. Tom Franklin to the District Court for filing.Fee deadline canceled. Awaiting District Court Action deadline updated to 02/28/2011 [11-10089] Monitoring for ruling on IFP (RFP) 3 pg, 173.02 KB
04/11/2011	<input type="checkbox"/>	DISTRICT COURT ORDER of 03/21/2011 denying IFP for Appellant Mr. Tom Franklin. Awaiting District Court Action deadline satisfied. Fee due on 04/26/2011 for Appellant Tom Franklin [11-10089] (CAG) 1 pg, 87.52 KB
04/22/2011	<input type="checkbox"/>	DOCUMENT RECEIVED - NO ACTION TAKEN. No action will be taken at this time on the Affidavit in support of a motion for IFP because no motion to proceed IFP has been filed. A motion to proceed in forma pauperis must be filed with the 5th Circuit before this affidavit can be processed. [11-10089] (CAG) 3 pg, 183.23 KB
05/11/2011	<input type="checkbox"/>	MOTION filed by Appellant Mr. Tom Franklin to proceed in forma pauperis [6810764-2] Fee deadline canceled. Date of service: 05/05/2011 [11-10089] (DMS) 3 pg, 53.9 KB
05/11/2011	<input type="checkbox"/>	AFFIDAVIT OF FINANCIAL STATUS filed by Appellant Mr. Tom Franklin in support of the motion to proceed IFP filed by Appellant Mr. Tom Franklin in 11-10089 <a href="#">[6810764-2]</a> . [11-10089] (DMS)
05/12/2011	<input type="checkbox"/>	RECORD ON APPEAL REQUESTED FROM DISTRICT COURT. ROA due on 05/27/2011 [11-10089] (DMS)
05/24/2011	<input type="checkbox"/>	RECORD ON APPEAL FILED. Electronic Pleadings, 1; ROA deadline satisfied. [11-10089] (NFD)
09/13/2011	<input type="checkbox"/>	UNPUBLISHED OPINION ORDER FILED. [11-10089 Dismissed as Frivolous] Judge: FPB , Judge: CES , Judge: EBC. Mandate pull date is 10/04/2011; denying motion to proceed IFP filed by Appellant Mr. Tom Franklin <a href="#">[6810764-2]</a> [11-10089] (JRS) 5 pg, 416.21 KB
09/13/2011	<input type="checkbox"/>	JUDGMENT ENTERED AND FILED. [11-10089] (JRS) 1 pg, 60.71 KB
09/21/2011	<input type="checkbox"/>	PETITION for rehearing filed by Appellant Mr. Tom Franklin [6908860-2]. Mandate pull date canceled. Date of Service: 09/19/2011 [11-10089] (CAG) 3 pg, 75.64 KB
10/05/2011	<input type="checkbox"/>	COURT ORDER filed denying appellant's petition for rehearing filed by Appellant Mr. Tom Franklin <a href="#">[6908860-2]</a> . Mandate pull date is 10/12/2011. [11-10089] (CAG) 2 pg, 105.43 KB
10/13/2011	<input type="checkbox"/>	MANDATE ISSUED. Mandate pull date satisfied. [11-10089] (CAG) 1 pg, 79.16 KB

Clear All

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Description:	Docket Report (full)	Search Criteria:	11-10089
Billable Pages:	1	Cost:	0.10

**Exhibit 3**

CLOSED,JURY,PROSE-NP,TRANSFER-OUT,TYPE-F

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:10-cv-01583-UNA**

FRANKLIN v. US BANK NATIONAL ASSOCIATION et al  
Assigned to: Unassigned  
Demand: \$10,000,000  
Cause: 42:1983 Civil Rights Act

Date Filed: 09/20/2010  
Date Terminated: 09/20/2010  
Jury Demand: Plaintiff  
Nature of Suit: 890 Other Statutory Actions  
Jurisdiction: Federal Question

**Plaintiff****TOM FRANKLIN**

represented by **TOM FRANKLIN**  
5633 Oak Grove  
Fort Worth, TX 76134  
PRO SE

V.

**Defendant****US BANK NATIONAL  
ASSOCIATION****Defendant****HOMEcomings FINANCIAL  
NETWORK, INC.****Defendant****GMAC MORTGAGE**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/20/2010	<a href="#"><u>1</u></a>	COMPLAINT against GMAC MORTGAGE, HOMEcomings FINANCIAL NETWORK, INC., US BANK NATIONAL ASSOCIATION filed by TOM FRANKLIN. (Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet)(kb) (Entered: 09/23/2010)
09/20/2010		SUMMONS Not Issued as to GMAC MORTGAGE, HOMEcomings FINANCIAL NETWORK, INC., US BANK NATIONAL ASSOCIATION (kb) (Entered: 09/23/2010)
09/20/2010	<a href="#"><u>2</u></a>	MOTION for Leave to Proceed in forma pauperis by TOM FRANKLIN (kb, ) (Entered: 09/23/2010)
09/20/2010	<a href="#"><u>3</u></a>	ORDER TRANSFERRING PRO SE CASE to the United States District Court for the Northern District of Texas. The Clerk of Court shall file and docket the

		complaint. Determination of whether plaintiff should be permitted to proceed further without pre-payment of fees to be decided by the Transferee Court.. Signed by Judge Richard W. Roberts on 9/1/2010. (kb) (Entered: 09/23/2010)
10/15/2010		Case transferred out to the USDC for the Northern District of Texas, pursuant to Court Order entered 09/20/2010. Sent to Court Electronically. (rdj) (Entered: 10/15/2010)
10/15/2010	<a href="#">4</a>	NOTICE of Extraction of case transferred to USDC for the Northern District of Texas (rdj) (Entered: 10/15/2010)
01/06/2011		Receipt on 1/6/2011 of Electronic Transfer. Other Court Number 4:10-cv-00781-A sent by USDC for the Northern District of Texas. (ls, ) (Entered: 01/06/2011)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
03/04/2015 18:10:53			
<b>PACER Login:</b>	rc7991:4245705:0	<b>Client Code:</b>	Rescap
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:10-cv-01583-UNA
<b>Billable Pages:</b>	1	<b>Cost:</b>	0.10

**Exhibit 3-A**



CLOSED,FEEDUE,JURY,PAPER\_REQUIRED

**U.S. District Court  
Northern District of Texas (Fort Worth)  
CIVIL DOCKET FOR CASE #: 4:10-cv-00781-A**

Franklin v. US Bank National Association et al

Assigned to: Judge John McBryde

Demand: \$9,999,000

Case in other court: USCA5, 10-11221

District of Columbia (Washington DC),

1:10-cv-01583-UNA

Cause: 42:1983 Civil Rights Act

Date Filed: 10/15/2010

Date Terminated: 11/02/2010

Jury Demand: Plaintiff

Nature of Suit: 371 Torts/Pers Prop:

Truth in Lending

Jurisdiction: Federal Question

**Plaintiff**

**Tom Franklin**

represented by **Tom Franklin**

5633 Oak Grove Road

Fort Worth, TX 76134

PRO SE

V.

**Defendant**

**US Bank National Association**

**Defendant**

**Homecoming Financial Network Inc**

**Defendant**

**GMAC Mortgage**

Date Filed	#	Docket Text
09/20/2010	<u><a href="#">1</a></u>	CLASS ACTION COMPLAINT BASED UPON PREDATORY LENDING AND MORTGAGE FRAUD WITH JURY DEMAND against GMAC Mortgage, Homecoming Financial Network Inc, US Bank National Association filed by Tom Franklin. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas should seek admission promptly. Forms and Instructions found at <a href="http://www.txnd.uscourts.gov">www.txnd.uscourts.gov</a> , or by clicking here: <a href="#">Attorney Information - Bar Membership</a> (wrb) (Entered: 10/19/2010)
09/20/2010	<u><a href="#">2</a></u>	APPLICATION to Proceed in District Court Without Prepaying Fees or Costs filed by Tom Franklin (wrb) (Entered: 10/19/2010)
10/15/2010	<u><a href="#">3</a></u>	ORDER TRANSFERRING PRO SE CASE to NDTX; (Ordered by US District Judge District of Columbia Judge Richard W. Roberts on 9/20/2010) (wrb)

		(Additional attachment(s) added on 10/19/2010: # <a href="#">1</a> Additional Page(s) Docket Sheet in District of Columbia) (wrb). Modified Filed Date on 10/20/2010 (egb). (Entered: 10/19/2010)
10/15/2010		Case transferred in from District of Columbia; Case Number 1:10-cv-01583-UNA. Original file with documents numbered 1-3, certified copy of transfer order and docket sheet received. (wrb) (Entered: 10/19/2010)
10/15/2010	<a href="#">4</a>	Standing ORDER Concerning Paper Filing in Cases Assigned to District Judge John McBryde...see order for specifics. (Ordered by Judge John McBryde on 10/15/2010) (wrb) (Entered: 10/19/2010)
10/15/2010		New Case Notes: A filing fee has not been paid. CASREF case referral set (see Special Order 3). Magistrate Judge Cureton preliminarily assigned. File to staff attorney DK. (wrb) (Entered: 10/19/2010)
10/19/2010		***Clerk's Notice of delivery: (see NEF for details) Docket No:3. cy to Plaintiff Tue Oct 19 09:53:33 CDT 2010 (crt) (Entered: 10/19/2010)
10/19/2010		***Clerk's Notice of delivery: (see NEF for details) Docket No:4. cy to Franklin Tue Oct 19 09:56:00 CDT 2010 (crt) (Entered: 10/19/2010)
10/20/2010	<a href="#">5</a>	Order and Notice of Deficiency that plaintiff(s) has 30 days to cure the following deficiency: filing fee not paid nor has ifp request been submitted. Failure to comply with this order may lead to dismissal for failure to prosecute pursuant to FRCvP 41(b). Clerk to mail true copy of this order to pltf; with ifp form. Pltf to either pay filing fee of \$350 or complete and return the declaration in support of request to proceed ifp; the application submitted was filed incomplete. (Ordered by Magistrate Judge Jeffrey L Cureton on 10/20/2010) (wrb) (Entered: 10/21/2010)
10/21/2010		***Clerk's Notice of delivery: (see NEF for details) Docket No:5. cy to Franklin with forms Thu Oct 21 13:43:11 CDT 2010 (crt) (Entered: 10/21/2010)
10/26/2010	<a href="#">6</a>	DECLARATION in support of <a href="#">2</a> MOTION for Leave to Proceed in forma pauperis by Tom Franklin. (cxb) (Entered: 10/26/2010)
11/01/2010	<a href="#">7</a>	ORDER AUTHORIZING PLAINTIFF TO PROCEED IN FORMA PAUPERIS; Order Returning Case to District Judge, Motions terminated: <a href="#">2</a> MOTION for Leave to Proceed in forma pauperis filed by Tom Franklin. ***NO summons shall issue unless authorized by further order of this court (Ordered by Magistrate Judge Jeffrey L Cureton on 11/1/2010) (wrb) (Entered: 11/01/2010)
11/01/2010		***Clerk's Notice of delivery: (see NEF for details) Docket No:7. cy to Franklin Mon Nov 1 17:14:26 CDT 2010 (crt) (Entered: 11/01/2010)
11/02/2010	<a href="#">8</a>	ORDER: Whatever claims and causes of action plaintiff, Tom Franklin, purports to assert against defendants, US Bank National Assn, GMAC Mortgage, and Homecoming Financial Network are dismissed. (Ordered by Judge John McBryde on 11/2/2010) (wrb) (Entered: 11/02/2010)
11/02/2010		

		***Clerk's Notice of delivery: (see NEF for details) Docket No:8. cy to Franklin Tue Nov 2 13:44:23 CDT 2010 (crt) (Entered: 11/02/2010)
11/02/2010	<a href="#">9</a>	FINAL JUDGMENT....all claims by pltf against defts US Bank Natl Assn, GMAC Mtge, and Homecoming Fin Network are dismissed w/prej. (Ordered by Judge John McBryde on 11/2/2010) (wrb) (Entered: 11/02/2010)
11/02/2010		***Clerk's Notice of delivery: (see NEF for details) Docket No:9. CY TO Franklin Tue Nov 2 13:53:22 CDT 2010 (crt) (Entered: 11/02/2010)
11/10/2010	<a href="#">10</a>	NOTICE OF APPEAL to the Fifth Circuit (rcvd at USCA5 11/16/10 forwarded to USDC) as to <a href="#">8</a> Order, <a href="#">9</a> Judgment by Tom Franklin, Pro Se, \$455 fee due,IFP w/ NOA mailed to Tom Franklin, T.O. form to appellant electronically at <a href="#">Transcript Order Form</a> or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. (tle) (Entered: 11/23/2010)
12/10/2010		USCA Case Number 10-11221 in USCA5 for <a href="#">10</a> Notice of Appeal, filed by Tom Franklin. (tle) (Entered: 12/10/2010)
12/15/2010		Record on Appeal for USCA5 10-11221 (related to <a href="#">10</a> appeal): Record consisting of: 1 Vol ECF Case Papers certified to USCA. To request a copy of the record (on disk or on paper), <a href="#">contact the appeals deputy</a> in advance to arrange delivery, copy of paginated docket sheet mailed to T Franklin. (tle) (Entered: 12/15/2010)
12/22/2010	<a href="#">11</a>	MOTION for Leave to Proceed in forma pauperis on appeal re <a href="#">10</a> Notice of Appeal, filed by Tom Franklin (egb) (Entered: 12/22/2010)
12/23/2010	<a href="#">12</a>	ORDER REFERRING <a href="#">11</a> Motion for Leave to Proceed in forma pauperis on appeal filed by Tom Franklin. Motion(s) referred to Magistrate Judge Jeffrey L Cureton. (Ordered by Judge John McBryde on 12/23/2010) (egb) (Entered: 12/23/2010)
12/23/2010		***Clerk's Notice of delivery: (see NEF for details) Docket No:12. Thu Dec 23 10:32:53 CST 2010 (crt) (Entered: 12/23/2010)
12/29/2010	<a href="#">13</a>	NOTICE OF DEFICIENCY AND ORDER REGARDING IN FORMA PAUPERIS STATUS: Tom Franklin has filed an application to proceed in forma pauperis on appeal. In reviewing the motion, the undersigned finds that Plaintiff must provide additional information about his available assets and expenses. Plaintiff shall complete the attached asset and expense questionnaire and return within 30 days to the clerk of the court for filing. Failure to do so could result in denial of the IFP motion, and/or notification to the court of appeals of the failure to comply. (Ordered by Magistrate Judge Jeffrey L Cureton on 12/29/2010) (dld) (Entered: 12/29/2010)
12/29/2010		***Clerk's Notice of delivery: (see NEF for details) Docket No:13. to Tom Franklin with form Wed Dec 29 15:58:23 CST 2010 (crt) (Entered: 12/29/2010)
02/03/2011	<a href="#">14</a>	ORDER DENYING MOTION TO PROCEED ON APPEAL IN FORMA PAUPERIS: re: denying <a href="#">11</a> Motion for Leave to Proceed in forma pauperis on appeal. See Order for further specifics. (Ordered by Magistrate Judge Jeffrey L. Cureton on 2/3/2011) (egb) Modified Judge Association on 4/20/2011 (egb). (Entered: 02/03/2011)

02/03/2011		***Clerk's Notice of delivery: (see NEF for details) Docket No:14. Thu Feb 3 13:49:34 CST 2011 (crt) (Entered: 02/03/2011)
02/14/2011	<a href="#">15</a>	JUDGMENT/MANDATE of USCA #10-11221 as to <a href="#">10</a> Notice of Appeal, filed by Tom Franklin. Under 5th Cir.R.42.3, the appeal is dismissed as of February 11, 2011, for want of prosecution. The appellant failed to timely file an appellant's brief...ENTERED AT THE DIRECTION OF THE COURT. Issued as Mandate: 2/11/2011. (tle) . (Entered: 02/14/2011)

PACER Service Center			
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<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	4:10-cv-00781-A
<b>Billable Pages:</b>	3	<b>Cost:</b>	0.30

**Exhibit 4**

KEYS,TERMED

**United States District Court**  
**Northern District of Illinois - CM/ECF LIVE, Ver 6,1 (Chicago)**  
**CIVIL DOCKET FOR CASE #: 1:12-cv-00667**

Franklin v. Lowe et al  
Assigned to: Honorable Suzanne B. Conlon  
Demand: \$9,999,000  
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 01/31/2012  
Date Terminated: 02/07/2012  
Jury Demand: None  
Nature of Suit: 890 Other Statutory  
Actions  
Jurisdiction: Federal Question

**Plaintiff**

**Tom Franklin**

represented by **Tom Franklin**  
5633 Oak Grove Road  
Fort Worth, TX 76134  
PRO SE

V.

**Defendant**

**Thomas W. Lowe**

**Defendant**

**Susan Haines**

**Defendant**

**Julie A. Rousswlow**

**Defendant**

**GMAC Mortgage Company**

Date Filed	#	Docket Text
01/31/2012	<a href="#"><u>1</u></a>	RECEIVED Complaint and 1 copy by Tom Franklin. (jmp, ) (Entered: 02/01/2012)
01/31/2012	<a href="#"><u>2</u></a>	CIVIL Cover Sheet. (jmp, ) (Entered: 02/01/2012)
01/31/2012	<a href="#"><u>3</u></a>	MOTION by Plaintiff Tom Franklin for leave to proceed in forma pauperis. (jmp, ) (Entered: 02/01/2012)
02/07/2012	<a href="#"><u>4</u></a>	MINUTE entry before Honorable Suzanne B. Conlon: On its own motion, the court dismisses the pro se complaint <a href="#"><u>1</u></a> for lack of venue and failure to state a claim. Plaintiff's motion to proceed in forma pauperis <a href="#"><u>3</u></a> is moot. The complaint alleges plaintiff resides in Texas, defendant GMAC Mortgage is located in Iowa,

		and defendants Thomas Lowe and Susan Haines Lowe reside in Texas. The complaint does not allege where the events that gave rise to the claim occurred. Plaintiff provides no basis for venue in the Northern District of Illinois under 28 U.S.C. Section 1381. Construed liberally, the pro se plaintiffs general allegations lack specific factual matter and fail to provide defendants with fair notice of the basis for the claim. Erickson v. Pardus, 551 U.S. 89 (2007) (per curiam); Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007); Fed R Civ. P. 8(2)(a). Civil case terminated. Mailed notice (jmp, ) (Entered: 02/08/2012)
02/07/2012	<a href="#">5</a>	ENTERED JUDGMENT Signed by the deputy clerk for the Honorable Suzanne B. Conlon on 2/7/2012: Mailed notice (jmp, ) (Entered: 02/08/2012)

PACER Service Center			
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03/04/2015 17:38:44			
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<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:12-cv-00667
<b>Billable Pages:</b>	1	<b>Cost:</b>	0.10

**Exhibit 5**



MASON,TERMED

**United States District Court**  
**Northern District of Illinois - CM/ECF LIVE, Ver 6,1 (Chicago)**  
**CIVIL DOCKET FOR CASE #: 1:12-cv-06087**

Franklin v. Applegate et al  
Assigned to: Honorable Ruben Castillo  
Demand: \$9,999,000  
Case in other court: 12-02908  
Cause: 28:1332 Diversity-Other Contract

Date Filed: 08/02/2012  
Date Terminated: 08/08/2012  
Jury Demand: Plaintiff  
Nature of Suit: 220 Real Property:  
Foreclosure  
Jurisdiction: Diversity

**Plaintiff**

**Tom Franklin**

represented by **Tom Franklin**  
5633 Oak Grove Road  
Fort Worth, TX 76134  
PRO SE

V.

**Defendant**

**GMAC Mortgage Company**

**Defendant**

**David M. Applegate**

Date Filed	#	Docket Text
08/02/2012	<a href="#"><u>1</u></a>	RECEIVED Complaint and 2 copies by Tom Franklin (pcs, ) (Entered: 08/03/2012)
08/02/2012	<a href="#"><u>2</u></a>	CIVIL Cover Sheet (pcs, ) (Entered: 08/03/2012)
08/02/2012	<a href="#"><u>3</u></a>	PRO SE Appearance by Plaintiff Tom Franklin (pcs, ) (Entered: 08/03/2012)
08/02/2012	<a href="#"><u>4</u></a>	APPLICATION by Plaintiff Tom Franklin for leave to proceed in forma pauperis (pcs, ) (Entered: 08/03/2012)
08/08/2012	<a href="#"><u>5</u></a>	MINUTE entry before Honorable Ruben Castillo: After a careful review of this recently filed pro se complaint, said complaint will be dismissed without prejudice to its potential refileing in another court for the following reasons. Plaintiff is a resident of Fort Worth, Texas and he seeks to sue several non-Illinois defendants for alleged predatory lending. There is no indication that federal jurisdiction and venue in this Court is appropriate. Plaintiff's application to proceed in forma pauperis <a href="#"><u>4</u></a> is denied. Civil case terminated. Mailed notice (jmp, ) (Entered: 08/09/2012)

08/16/2012	<a href="#">6</a>	NOTICE of appeal by Tom Franklin regarding orders <a href="#">5</a> (ifp pending) (dj, ) (Entered: 08/17/2012)
08/16/2012	<a href="#">7</a>	APPLICATION by Plaintiff Tom Franklin for leave to appeal in forma pauperis and financial affidavit. (dj, ) (Entered: 08/17/2012)
08/17/2012	<a href="#">8</a>	NOTICE of Appeal Due letter sent to counsel of record (dj, ) (Entered: 08/17/2012)
08/17/2012	<a href="#">9</a>	TRANSMITTED to the 7th Circuit the short record on notice of appeal <a href="#">6</a> . Notified counsel (dj, ) (Entered: 08/17/2012)
08/17/2012	<a href="#">10</a>	ACKNOWLEDGEMENT of receipt of short record on appeal regarding notice of appeal <a href="#">6</a> ; USCA Case No. 12-2908 (pcs, ) (Entered: 08/20/2012)
08/29/2012	<a href="#">11</a>	TRANSMITTED to the USCA for the 7th Circuit the long record on appeal <a href="#">6</a> (USCA no. 12-2908). (dj, ) (Entered: 08/29/2012)
08/29/2012	<a href="#">12</a>	ACKNOWLEDGMENT OF USCA RECEIVED on 8/29/2012 the record on appeal regarding notice of appeal <a href="#">6</a> . (jmp, ) (Entered: 08/30/2012)
08/31/2012	<a href="#">13</a>	CIRCUIT Rule 3(c) Docketing Statement has not been filed to date. Accordingly, IT IS ORDERED that the appellant file this overdue Docketing Statement with the clerk of this court within fourteen (14) days of the date of this order. Failure to do so will result in a one hundred dollar (\$100.00) fine and/or dismissal of this notice of appeal. (jmp, ) (Entered: 09/04/2012)
10/04/2012	<a href="#">14</a>	ENTER copy of order dated 10/4/2012 from the; USCA 7th Circuit regarding notice of appeal <a href="#">6</a> ; Appellate case no. : 12-2908. Upon consideration of the MOTION TO STAY AND MEMORANDUM BRIEF, filed on September 27, 2012, by the pro se appellant, IT IS ORDERED that the motion is DENIED. (jmp, ) (Entered: 10/09/2012)
10/24/2012	<a href="#">15</a>	MINUTE entry before Honorable Ruben Castillo:Plaintiff's application for leave to appeal in forma pauperis <a href="#">7</a> is granted. Mailed notice (jmp, ) (Entered: 10/24/2012)
02/07/2013	<a href="#">16</a>	LETTER from the Seventh 7 Circuit returning the record on appeal in USCA no. 12-2908; no record to be returned. (jmp, ) (Entered: 02/11/2013)
02/07/2013	<a href="#">17</a>	MANDATE of USCA dated 1/16/2013 regarding notice of appeal <a href="#">6</a> ; USCA No. 12-2908. The case is DISMISSED in accordance with the decision of this court entered on this date. (jmp, ) (Entered: 02/11/2013)
02/07/2013	<a href="#">18</a>	OPINION from the USCA for the 7th Circuit; Argued 1/14/2013; Decided 1/16/2013 in USCA case no. 12-2908. The appellees were not served with process in the district court and are not participating in this appeal. After examining the appellant's brief and the record, we have concluded that oral argument is unnecessary. Thus the appeal is submitted on the appellant's brief and the record. See FED. R. APP. P. 34(a)(2)(C), court dismissed the suit for improper venue because Franklin identified himself as a Texas resident and listed a nonIllinois (Iowa) address for both defendants. On appeal Franklin does not develop any legal argument challenging the basis of the dismissal. A brief must contain "contentions and the reasons for them, with citations to the

authorities and parts of the record on which the appellant relies." FED. R. APP. P. 28(a)(9). Franklin's brief instead merely reproduces the complaint almost verbatim without addressing venue. We construe pro se filings liberally, but even a pro se brief must contain more than a general assertion of error. *Correa v. White*, 518 F.3d 516, 51718 (7th Cir. 2008); *Anderson v. Hardman*, 241 F.3d 544, 545 (7th Cir. 2001). (jmp, ) (Entered: 02/11/2013)

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<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:12-cv-06087
<b>Billable Pages:</b>	2	<b>Cost:</b>	0.20

**Exhibit 5-A**

General Docket  
Seventh Circuit Court of Appeals


<b>Court of Appeals Docket #:</b> 12-2908 <b>Nature of Suit:</b> 3220 Foreclosure Tom Franklin v. David Applegate, et al <b>Appeal From:</b> Northern District of Illinois, Eastern Division <b>Fee Status:</b> In Forma Pauperis		<b>Docketed:</b> 08/17/2012 <b>Termed:</b> 01/16/2013
<b>Case Type Information:</b> 1) civil 2) private 3) -		
<b>Originating Court Information:</b> <b>District:</b> 0752-1 : <a href="#">1:12-cv-06087</a> <b>Court Reporter:</b> Kathleen M. Fennell, Court Reporter <b>Trial Judge:</b> Ruben Castillo, Chief District Court Judge <b>Date Filed:</b> 08/02/2012 <b>Date Order/Judgment:</b> 08/08/2012 <b>Date NOA Filed:</b> 08/16/2012		
<b>Prior Cases:</b> None		
<b>Current Cases:</b> None		

TOM FRANKLIN Plaintiff - Appellant	Tom Franklin [NTC Pro Se] 5633 Oak Grove Road Fort Worth, TX 76134
v.	
GMAC MORTGAGE CORPORATION Defendant - Appellee	
DAVID M. APPLGATE Defendant - Appellee	

TOM FRANKLIN,  
Plaintiff - Appellant

v.

DAVID M. APPEGATE, et al.,  
Defendants - Appellees

08/17/2012	<input type="checkbox"/> <a href="#">1</a> 11 pg, 594.96 KB	Private civil case docketed. IFP pending in the District Court. Docketing Statement due for Appellant Tom Franklin by 08/23/2012. Transcript information sheet due by 08/31/2012. Record on Appeal from Northern District of Illinois, Eastern Division due by 09/07/2012. [1] [6421211] [12-2908] (SM)
08/17/2012	<input type="checkbox"/> <a href="#">2</a> 1 pg, 85.59 KB	This is notification that no appellee(s) or counsel for the appellee(s) were served in the District Court. [2] [6421216] [12-2908] (SM)
08/29/2012	<input type="checkbox"/> <a href="#">3</a> 38 pg, 1.73 MB	Original record on appeal filed electronically. Contents of record : 1 vol. of pleadings. [3] [6424096] [12-2908] (AB)
08/31/2012	<input type="checkbox"/> <a href="#">4</a> 1 pg, 89.11 KB	ORDER: Appellant Tom Franklin is directed to file the overdue Docketing Statement within 14 days from the date of this Rule to Show Cause. [4] CC. Docketing statement response due for Appellant Tom Franklin by 09/14/2012. Sent Certified Mail. Receipt Number: 7010 3090 0001 4245 3436. [6424744] [12-2908] (DS)
09/06/2012	<input type="checkbox"/> <a href="#">5</a> 2 pg, 102.36 KB	Docketing statement filed by Appellant Tom Franklin. Prior or Related proceedings: No. [5] [6425855] [12-2908] (EF)
09/07/2012	<input type="checkbox"/> <a href="#">6</a> 0 pg, 0 KB	Prose motion filed by Appellant Tom Franklin to proceed on appeal in forma pauperis. [6426300] [12-2908] (DS)
09/12/2012	<input type="checkbox"/> <a href="#">7</a> 52 pg, 2.35 MB	15 copies Appellant's brief filed by Appellant Tom Franklin. Disk not required. [6427518][7] [12-2908] (EF)
09/27/2012	<input type="checkbox"/> <a href="#">8</a> 6 pg, 235.14 KB	Pro se motion filed by Appellant Tom Franklin for stay pending appeal. [6431143] [12-2908] (DS)
10/04/2012	<input type="checkbox"/> <a href="#">9</a> 1 pg, 95.39 KB	Order issued DENYING motion for stay pending appeal. <a href="#">8</a> . SCR. [6433034] [12-2908] (FP)
11/01/2012	<input type="checkbox"/> <a href="#">10</a> 1 pg, 15.4 KB	Filed District Court order GRANTING Appellant Tom Franklin leave to proceed on appeal in forma pauperis. Date IFP granted: 10/24/2012. [10] [6439754] [12-2908] (DS)
01/16/2013	<input type="checkbox"/> <a href="#">11</a> 2 pg, 120.93 KB	Filed Nonprecedential Disposition PER CURIAM. The case is DISMISSED. Richard A. Posner, Circuit Judge; Diane P. Wood, Circuit Judge and Diane S. Sykes, Circuit Judge. [11] [6457303] [12-2908] (ER)
01/16/2013	<input type="checkbox"/> <a href="#">12</a> 1 pg, 89.58 KB	ORDER: Final judgment filed per nonprecedential disposition. With costs: no. [12] [6457309] [12-2908] (ER)
02/07/2013	<input type="checkbox"/> <a href="#">13</a> 2 pg, 91.75 KB	Mandate issued. No record to be returned. [13] [6462505] [12-2908] (SP)
02/07/2013	<input type="checkbox"/>  5 pg, 542.4 KB	FOR COURT USE ONLY: Certified copy of 01/16/2013 Final Order with Mandate sent to the District Court Clerk. [6462506-2] [6462506] [12-2908] (SP)

Clear All

☒ Documents and Docket Summary

☐ Documents Only

☒ Include Page Numbers

Selected Pages:  Selected Size:

Totals reflect accessible documents only and do not include unauthorized restricted documents.

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Billable Pages:	1	Cost:	0.10



**Exhibit 6**

CLOSED,MOTREF,PROSE,TPS

**U.S. District Court**  
**United States District Court for the District of Connecticut (New Haven)**  
**CIVIL DOCKET FOR CASE #: 3:12-cv-01217-VLB**

Franklin v. Applegate et al  
Assigned to: Judge Vanessa L. Bryant  
Referred to: Judge Thomas P. Smith  
Demand: \$10,000,000  
Cause: 15:1692 Fair Debt Collection Act

Date Filed: 08/20/2012  
Date Terminated: 09/10/2012  
Jury Demand: None  
Nature of Suit: 480 Consumer Credit  
Jurisdiction: Federal Question

**Plaintiff**

**Tom Franklin**

represented by **Tom Franklin**  
5633 Oak Grove Road  
Fort Worth, TX 76134  
PRO SE

V.

**Defendant**

**David M. Applegate**

**Defendant**

**GMAC Mortgage Company**

Date Filed	#	Docket Text
08/20/2012	<a href="#"><u>1</u></a>	Petition for Declaratory Judgment against David M. Applegate, GMAC Mortgage Company, filed by Tom Franklin. (Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet)(Malone, P.) (Entered: 08/21/2012)
08/20/2012	<a href="#"><u>2</u></a>	MOTION for Leave to Proceed in forma pauperis by Tom Franklin. (Malone, P.) (Entered: 08/21/2012)
08/20/2012	<a href="#"><u>3</u></a>	Order on Pretrial Deadlines: Motions to Dismiss due on 11/20/2012. Amended Pleadings due by 10/19/2012; Discovery due by 2/19/2013; Dispositive Motions due by 3/21/2013. Signed by Clerk on 8/20/12. (Malone, P.) (Entered: 08/21/2012)
08/20/2012	<a href="#"><u>4</u></a>	ORDER RE: Judge's Chambers Practices. Counsel are directed to read and comply with the Chambers Practices and Standing Orders prior to filing any document. So ordered. Signed by Judge Vanessa L. Bryant on 8/20/12. (Malone, P.) (Entered: 08/21/2012)
08/22/2012	5	ORDER REFERRING CASE to Magistrate Judge Thomas P. Smith for a ruling on <a href="#"><u>2</u></a> MOTION for Leave to Proceed in forma pauperis. Signed by Judge Vanessa L. Bryant on 8/22/12. (LaLone, L.) (Entered: 08/22/2012)

09/10/2012	<a href="#">6</a>	ORDER TRANSFERRING case to the U.S. District Court for the Northern District of Texas. Plaintiff has given a home address in Fort Worth, Texas and has identified Defendant as a company located in Waterloo, IA. Plaintiff has not identified any connection to the District of Connecticut. Signed by Judge Vanessa L. Bryant on 9/10/2012. (Ives, D) (Entered: 09/10/2012)
09/10/2012	<a href="#">7</a>	ORDER denying as moot <a href="#">2</a> Motion for Leave to Proceed in forma pauperis in light of the Court's 6 Order transferring case to the U.S. District Court for the Northern District of Texas. Signed by Judge Vanessa L. Bryant on 9/10/2012. (Ives, D) (Entered: 09/10/2012)
09/18/2012	<a href="#">8</a>	NOTICE OF APPEAL as to 6 Order of Transfer, by Tom Franklin. (Malone, P.) (Additional attachment(s) added on 9/28/2012: # <a href="#">1</a> REPLACEMENT PDF) (Pesta, J.). Modified on 9/28/2012 to correct file date to 9/18 & attach the correct PDF(Pesta, J.). (Entered: 09/27/2012)
09/18/2012	<a href="#">9</a>	Index to Record on Appeal by Tom Franklin re <a href="#">8</a> Notice of Appeal, 7 Order on Motion for Leave to Proceed in forma pauperis, 6 Order Of Transfer, 5 Order Referring Case to Magistrate Judge, <a href="#">3</a> Order on Pretrial Deadlines, <a href="#">4</a> Order Re: Chambers Practices, <a href="#">1</a> Complaint, <a href="#">2</a> MOTION for Leave to Proceed in forma pauperis. For docket entries without a hyperlink, contact the court to arrange for the document(s) to be made available to you. (Malone, P.) Modified on 9/28/2012 to correct file date(Pesta, J.). (Entered: 09/27/2012)
09/28/2012	<a href="#">10</a>	Docket Entry Correction: Corrected the file date to 9/18/12 on both the 9 Index to Record on Appeal, and <a href="#">8</a> Notice of Appeal (Pesta, J.) (Entered: 09/28/2012)
12/03/2012	<a href="#">11</a>	MANDATE of USCA dated 12/03/2012 dismissing <a href="#">8</a> Notice of Appeal (Grady, B.) (Entered: 12/05/2012)

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**Exhibit 7**

CLOSED

**U.S. District Court  
Western District of Pennsylvania (Pittsburgh)  
CIVIL DOCKET FOR CASE #: 2:13-cv-00046-CRE**

FRANKLIN v. GMAC MORTGAGE  
Assigned to: Magistrate Judge Cynthia Reed Eddy  
Cause: 15:1692 Fair Debt Collection Act

Date Filed: 01/09/2013  
Date Terminated: 01/10/2013  
Jury Demand: None  
Nature of Suit: 890 Other Statutory  
Actions  
Jurisdiction: Federal Question

**Plaintiff**

**TOM FRANKLIN**

represented by **TOM FRANKLIN**  
5633 Oak Grove Road  
Fort Worth, TX 76134  
PRO SE

V.

**Defendant**

**GMAC MORTGAGE**

Date Filed	#	Docket Text
01/09/2013	<a href="#">1</a>	MOTION for Leave to Proceed in forma pauperis by TOM FRANKLIN. (Attachments: # <a href="#">1</a> Complaint, # <a href="#">2</a> Civil Cover Sheet, # <a href="#">3</a> Envelope) (plh) (Entered: 01/09/2013)
01/10/2013	<a href="#">2</a>	MEMORANDUM OPINION AND ORDER : IT IS HEREBY ORDERED that the Clerk of Court shall TRANSFER this case, FORTHWITH, to the United States District Court for the Eastern District of Pennsylvania; IT IS FURTHER ORDERED that the Clerk of Court shall CLOSE this case. Signed by Magistrate Judge Cynthia Reed Eddy on 1/10/13. (jlh ) (Entered: 01/10/2013)
01/10/2013		Case electronically transferred to District of edpa. (plh) (Entered: 01/10/2013)
01/14/2013		DETAILS; Case transferred from Pennsylvania Western has been opened in Eastern District of Pennsylvania as case 2:13-cv-171, filed 1/10/2013. (plh) (Entered: 01/14/2013)
01/14/2013	<a href="#">4</a>	NOTICE OF APPEAL (Interlocutory) as to <a href="#">2</a> Order, by TOM FRANKLIN. Motion for IFP Pending. Certificate of Appealability N/A. Court Reporter None. The Clerk's Office hereby certifies the record and the docket sheet available through ECF to be the certified list in lieu of the record and/or the certified copy of the docket entries. The Transcript Purchase Order form will not be mailed to

		the parties. The form is available on the Court's internet site. (ksa2) (Entered: 01/23/2013)
01/18/2013	<a href="#">3</a>	USCA LETTER TO DISTRICT COURT CLERK re: forwarding Notice of Appeal on behalf of Tom Franklin to District Court. (Attachments: # <a href="#">1</a> Supplement) (sa3, ) Modified on 1/23/2013 to correct typo. (ksa) (Entered: 01/18/2013)
06/03/2013	<a href="#">5</a>	ORDER of USCA dismissing the appeal for lack of appellate jurisdiction as to <a href="#">4</a> Notice of Interlocutory Appeal, filed by TOM FRANKLIN (cjc3) (Entered: 06/06/2013)

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<b>Billable Pages:</b>	1	<b>Cost:</b>	0.10

**Exhibit 7-A**

CLOSED,APPEAL,[STANDARD](#)

**United States District Court  
Eastern District of Pennsylvania (Philadelphia)  
CIVIL DOCKET FOR CASE #: 2:13-cv-00171-WY**

FRANKLIN v. GMAC MORTGAGE  
Assigned to: HONORABLE WILLIAM H. YOHN, JR  
Case in other court: USCA FOR THE THIRD CIRCUIT,  
13-01514  
USDC WESTERN DISTRICT OF PA,  
13-00046

Date Filed: 01/10/2013  
Date Terminated: 02/04/2013  
Jury Demand: None  
Nature of Suit: 890 Other Statutes:  
Other Statutory Actions  
Jurisdiction: Federal Question

Cause: 15:1692 Fair Debt Collection Act

**Plaintiff**

**TOM FRANKLIN**

represented by **TOM FRANKLIN**  
5633 OAK GROVE ROAD  
FORT WORTH, TX 76134  
PRO SE

V.

**Defendant**

**GMAC MORTGAGE**

Date Filed	#	Docket Text
01/10/2013	<a href="#">1</a>	Original record together with certified copy of docket entries received from District of Western PA, 13-cv-46. (Attachments: # <a href="#">1</a> Civil Cover Sheet, # <a href="#">2</a> Document 1)(rt) ). Modified on 1/14/2013 (rt). (Entered: 01/11/2013)
01/14/2013	<a href="#">2</a>	ORDER THAT MOTION TO PROCEED IN FORMA PAUPERIS IS DENIED WITHOUT PREJUDICE. CLERK OF COURT SHALL PROVIDE PLAINTIFF WITH AN APPROPRIATE NON-PRISONER APPLICATION TO PROCEED IN FORMA PAUPERIS, BEARING THE CIVIL ACTION NUMBER OF THIS CASE, ETC. CASE SHALL BE MARKED CLOSED FOR STATISTICAL PURPOSES. SIGNED BY HONORABLE WILLIAM H. YOHN, JR ON 1/14/13. 1/15/13 ENTERED AND COPIES MAILED TO PRO SE PLAINTIFF. (rf, ) *APPROPRIATE IN FORMA PAUPERIS PAPERWORK SENT TO PRO SE PLAINTIFF ON 1/15/13* (Entered: 01/15/2013)
01/28/2013	<a href="#">3</a>	APPLICATION TO PROCEED IN FORMA PAUPERIS by TOM FRANKLIN. (rf, ) (Entered: 01/28/2013)
02/04/2013	<a href="#">4</a>	MEMORANDUM AND/OR OPINION. SIGNED BY HONORABLE WILLIAM H. YOHN, JR ON 2/4/13. 2/5/13 ENTERED AND COPIES MAILED TO PRO SE PLAINTIFF.(rf, ) (Entered: 02/05/2013)



02/04/2013	<a href="#">5</a>	MEMORANDUM AND ORDER THAT LEAVE TO PROCEED IN FORMA PAUPERIS IS GRANTED. PLAINTIFFS COMPLAINT IS DISMISSED WITHOUT PREJUDICE. PLAINTIFF IS GIVEN LEAVE TO FILE AN AMENDED COMPLAINT WITHIN 30 DAYS OF THE DATE OF THIS ORDER. UPON THE FILING OF AN AMENDED COMPLAINT, THE CLERK SHALL NOT MAKE SERVICE UNTIL SO ORDERED BY COURT. CLERK OF COURT IS DIRECTED TO CLOSE THIS CASE FOR STATISTICAL PURPOSES.. SIGNED BY HONORABLE WILLIAM H. YOHN, JR ON 2/4/13. 2/5/13 ENTERED AND COPIES MAILED TO PRO SE PLAINTIFF.(rf, ) (Entered: 02/05/2013)
02/04/2013	<a href="#">6</a>	COMPLAINT against GMAC MORTGAGE, filed by TOM FRANKLIN.(rf, ) (PPE076453-\$350) (Entered: 02/05/2013)
02/06/2013	<a href="#">7</a>	ORDER THAT THE PLAINTIFF MAY FILE AN AMENDED COMPLAINT WITHIN 30 DAYS OF THE DATE OF THIS ORDER IN THE EVENT THAT HE CAN CURE THE DEFICIENCIES SET FORTH IN THE MEMORANDUM OF 2/4/13. IF SO, THE CLERK SHALL ISSUE SUMMONS BASED ON THE AMENDED COMPLAINT SO THAT PLAINTIFF MAY SERVE THE DEFENDANT. IF HE DOES NOT, THE COMPLAINT WILL BE DISMISSED WITHOUT PREJUDICE TO HIS RIGHT TO FILE SUIT IN ANOTHER JURISDICTION. SIGNED BY HONORABLE WILLIAM H. YOHN, JR ON 2/6/13. 2/7/13 ENTERED AND COPIES MAILED TO PRO SE PLAINTIFF (rf, ) (Entered: 02/07/2013)
02/14/2013	<a href="#">8</a>	NOTICE OF APPEAL by PRO SE PLFF TOM FRANKLIN, Certificate of Service. (IFP Status). Copies to Judge, Clerk USCA, Appeals Clerk. (kw, ) (Entered: 02/22/2013)
02/14/2013	<a href="#">9</a>	Clerk's Notice to USCA, re: <a href="#">8</a> Notice of Appeal. (kw, ) (Entered: 02/22/2013)
02/27/2013		NOTICE of Docketing Record on Appeal from USCA re <a href="#">8</a> Notice of Appeal filed by TOM FRANKLIN. USCA Case Number 13-1514 (ems) (Entered: 02/27/2013)

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




**Exhibit 7-B**

General Docket  
Third Circuit Court of Appeals

<b>Court of Appeals Docket #:</b> 13-1196		<b>Docketed:</b> 01/25/2013
<b>Nature of Suit:</b> 3890 Other Statutory Actions		<b>Termed:</b> 06/03/2013
Tom Franklin v. GMAC Mortgage		
<b>Appeal From:</b> United States District Court for the Western District of Pennsylvania		
<b>Fee Status:</b> IFP		
<b>Case Type Information:</b> 1) civil 2) private 3) Federal question		
<b>Originating Court Information:</b> <b>District:</b> 0315-2 : <a href="#">2-13-cv-00046</a> <b>Trial Judge:</b> Cynthia R. Eddy <b>Date Filed:</b> 01/09/2013 <b>Date Order/Judgment:</b> 01/10/2013 <b>Date Order/Judgment EOD:</b> 01/10/2013 <b>Date NOA Filed:</b> 01/14/2013		
<b>Prior Cases:</b> None		
<b>Current Cases:</b> None		

TOM FRANKLIN Plaintiff - Appellant	Tom Franklin [NTC Pro Se] 5633 Oak Grove Road Fort Worth, TX 76134
v.	
GMAC MORTGAGE CORP Defendant - Appellee	

TOM FRANKLIN,  
Appellant  
v.  
GMAC MORTGAGE

01/25/2013	<input type="checkbox"/> 	CIVIL CASE DOCKETED. Notice filed by Appellant Tom Franklin in District Court No. 2-13-cv-00046. (MLR)
	11 pg, 158.16 KB	
01/25/2013	<input type="checkbox"/>	RECORD available on District Court CM/ECF. (MLR)
01/30/2013	<input type="checkbox"/> 	LEGAL DIVISION LETTER SENT advising that the case has been listed for possible dismissal due to jurisdictional defect. (NF)
	3 pg, 51.3 KB	
02/11/2013	<input type="checkbox"/> 	MOTION filed by Appellant Tom Franklin to Proceed In Forma Pauperis. Response due on 02/14/2013. Certificate of Service dated 01/30/2013. (MLR)
	0 pg, 0 KB	
03/04/2013	<input type="checkbox"/> 	CLERK ORDER granting Motion to proceed in forma pauperis by Appellant Tom Franklin Panel ID FCO-178, filed. (MLR)
	7 pg, 1.16 MB	
06/03/2013	<input type="checkbox"/> 	ORDER (RENDELL, JORDAN and SHWARTZ, Circuit Judges) dismissing the appeal for lack of appellate jurisdiction, filed. Panel No.: CLD-233. Jordan, Authoring Judge. (CJG)
	4 pg, 171.48 KB	

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**Exhibit 7-C**








General Docket  
Third Circuit Court of Appeals

<b>Court of Appeals Docket #:</b> 13-1514		<b>Docketed:</b> 02/27/2013
<b>Nature of Suit:</b> 3890 Other Statutory Actions		<b>Termed:</b> 06/21/2013
Tom Franklin v. GMAC Mortgage LLC		
<b>Appeal From:</b> United States District Court for the Eastern District of Pennsylvania		
<b>Fee Status:</b> IFP		
<b>Case Type Information:</b>		
1) civil 2) private 3) Federal question		
<b>Originating Court Information:</b>		
<b>District:</b> 0313-2 : <a href="#">2-13-cv-00171</a>		
<b>Court Reporter:</b> Joan Carr		
<b>Trial Judge:</b> William H. Yohn, Junior, U.S. District Judge		
<b>Date Filed:</b> 01/10/2013		
<b>Date Order/Judgment:</b> 02/04/2013	<b>Date Order/Judgment EOD:</b> 02/04/2013	<b>Date NOA Filed:</b> 02/14/2013
<b>Prior Cases:</b> None		
<b>Current Cases:</b> None		

TOM FRANKLIN Plaintiff - Appellant	Tom Franklin [NTC Pro Se] 5633 Oak Grove Road Fort Worth, TX 76134
v.	
GMAC MORTGAGE LLC Defendant - Appellee	



TOM FRANKLIN,  
Appellant  
v.  
GMAC MORTGAGE

02/27/2013	<input type="checkbox"/> 	CIVIL CASE DOCKETED. Notice filed by Appellant Tom Franklin in District Court No. 2-13-cv-00171. (MLR)
	18 pg, 6.31 MB	
02/27/2013	<input type="checkbox"/>	RECORD available on District Court CM/ECF. (MLR)
03/01/2013	<input type="checkbox"/> 	LEGAL DIVISION LETTER SENT advising that the case has been listed for possible dismissal due to jurisdictional defect. (ZM)
	3 pg, 51.67 KB	
03/14/2013	<input type="checkbox"/> 	RESPONSE on behalf of Appellant Tom Franklin to Legal Division letter advising of possible dismissal, filed. Certificate of Service dated 03/11/2013. (MLR)
	10 pg, 519.14 KB	
05/08/2013	<input type="checkbox"/> 	LEGAL DIVISION LETTER SENT advising that the case will be submitted to a panel of this Court for possible summary action. (JW)
	3 pg, 38.76 KB	
06/21/2013	<input type="checkbox"/> 	NOT PRECEDENTIAL PER CURIAM OPINION Coram: RENDELL, JORDAN and SHWARTZ, Circuit Judges. Total Pages: 4. CLD-273 (MLR)
	4 pg, 79.55 KB	
06/21/2013	<input type="checkbox"/> 	JUDGMENT, Ordered and Adjudged by this Court that the judgment of the District Court entered February 6, 2013, be and the same is hereby Affirmed. (MLR)
	4 pg, 30.4 KB	
07/15/2013	<input type="checkbox"/> 	MANDATE ISSUED, filed. (MLR)
	7 pg, 173.77 KB	

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Third Circuit - 03/04/2015 19:24:17			
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Description:	Docket Report (filtered)	Search Criteria:	13-1514
Billable Pages:	1	Cost:	0.10

**Exhibit 8**

CLOSED,M/IFP,TDIV-OUT

**U.S. District Court**  
**Northern District of Texas (Dallas)**  
**CIVIL DOCKET FOR CASE #: 3:13-cv-01680-D**

Franklin v. GMAC Mortgage et al  
Assigned to: Chief Judge Sidney A Fitzwater  
Related Case: [4:13-cv-00444-Y](#)  
Cause: 28:1331 Fed. Question

Date Filed: 05/02/2013  
Date Terminated: 05/30/2013  
Jury Demand: None  
Nature of Suit: 220 Real Property:  
Foreclosure  
Jurisdiction: Federal Question

**Plaintiff**

**Tom Franklin**

represented by **Tom Franklin**  
5633 Oak Grove Road  
Fort Worth, TX 76134  
PRO SE

V.

**Defendant**

**GMAC Mortgage**

**Defendant**

**US National Bank Association**

Date Filed	#	Docket Text
05/02/2013	<a href="#"><u>1</u></a>	New Case Notes: A filing fee has not been paid. File to writ clerk/staff attorney. SCREEN case referral set and case referred to Magistrate Judge Horan (see Special Order 3). Initiating documents received by mail. No prior sanctions found. Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge (Judge Horan). Clerk to provide copy to plaintiff if not received electronically. (cea) (Entered: 05/02/2013)
05/02/2013	<a href="#"><u>2</u></a>	Notice and Instruction to Pro Se Party. (cea) (Entered: 05/02/2013)
05/02/2013		***Clerk's Notice of delivery: (see NEF for details) Docket No:1, 2. Thu May 2 15:19:23 CDT 2013 (crt) (Entered: 05/02/2013)
05/02/2013	<a href="#"><u>3</u></a>	COMPLAINT against GMAC Mortgage, US National Bank Association filed by Tom Franklin. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas should seek admission promptly. Forms, instructions, and exemption information may be found at

		www.txnd.uscourts.gov, or by clicking here: <a href="#">Attorney Information - Bar Membership</a> (cea) (Entered: 05/02/2013)
05/02/2013	<a href="#">4</a>	MOTION for Leave to Proceed in forma pauperis filed by Tom Franklin. (cea) (Entered: 05/02/2013)
05/14/2013	<a href="#">5</a>	Findings and Recommendations on Case. Plaintiffs case should be transferred to the Fort Worth Division of the Northern District of Texas. (See order for specifics) (Ordered by Magistrate Judge David L Horan on 5/14/2013) (mcrd) (Entered: 05/14/2013)
05/14/2013		***Clerk's Notice of delivery: (see NEF for details) Docket No:5. Tue May 14 14:38:16 CDT 2013 (crt) (Entered: 05/14/2013)
05/30/2013	<a href="#">6</a>	Order Adopting <a href="#">5</a> Findings and Recommendation of the United States Magistrate Judge: This case is transferred to the Fort Worth Division of the Northern District of Texas pursuant to 28 U.S.C. § 1404(a). (Ordered by Chief Judge Sidney A Fitzwater on 5/30/2013) (axm) (Entered: 05/30/2013)
05/30/2013		***Clerk's Notice of delivery: (see NEF for details) Docket No:6. Thu May 30 10:53:29 CDT 2013 (crt) (Entered: 05/30/2013)
05/30/2013		Case copied to 4:13cv0444-Y. Transfer to Fort Worth Division complete; clerk to set Related Case hyperlink, clear unnecessary flags, etc. (ldm) (Entered: 05/30/2013)
05/30/2013		CASE Returned to District Judge; Magistrate Judge David L Horan no longer assigned to case. (twd) (Entered: 05/30/2013)

PACER Service Center			
Transaction Receipt			
03/04/2015 18:41:28			
<b>PACER Login:</b>	rc7991:4245705:0	<b>Client Code:</b>	Rescap
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	3:13-cv-01680-D
<b>Billable Pages:</b>	2	<b>Cost:</b>	0.20

**Exhibit 8-A**

CLOSED,FEEDUE,IFP,LEAD,TDIV-IN

**U.S. District Court  
Northern District of Texas (Fort Worth)  
CIVIL DOCKET FOR CASE #: 4:13-cv-00444-Y**

Franklin v. GMAC Mortgage et al  
Assigned to: Judge Terry R Means  
Related Case: [3:13-cv-01680-D](#)

Case in other court: U S Court of Appeals Fifth Circuit, 13-10613  
U.S. Court of Appeals Fifth Circuit`, 14-10291

Date Filed: 05/02/2013  
Date Terminated: 03/05/2014  
Jury Demand: None  
Nature of Suit: 220 Real Property:  
Foreclosure  
Jurisdiction: Federal Question

Cause: 28:1331 Fed. Question

**Plaintiff**

**Tom Franklin**

represented by **Tom Franklin**  
5633 Oak Grove Road  
Fort Worth, TX 76134  
PRO SE

V.

**Defendant**

**GMAC Mortgage**

**Defendant**

**US National Bank Association**

Date Filed	#	Docket Text
05/02/2013	<a href="#">1</a>	New Case Notes: A filing fee has not been paid. File to writ clerk/staff attorney. SCREEN case referral set and case referred to Magistrate Judge Horan (see Special Order 3). Initiating documents received by mail. No prior sanctions found. Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge (Judge Horan). Clerk to provide copy to plaintiff if not received electronically. (cea) (Entered: 05/02/2013)
05/02/2013	<a href="#">2</a>	Notice and Instruction to Pro Se Party. (cea) (Entered: 05/02/2013)
05/02/2013		***Clerk's Notice of delivery: (see NEF for details) Docket No:1, 2. Thu May 2 15:19:23 CDT 2013 (crt) (Entered: 05/02/2013)
05/02/2013	<a href="#">3</a>	COMPLAINT against GMAC Mortgage, US National Bank Association filed by Tom Franklin. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas should seek admission promptly. Forms,



		instructions, and exemption information may be found at <a href="http://www.txnd.uscourts.gov">www.txnd.uscourts.gov</a> , or by clicking here: <a href="#">Attorney Information - Bar Membership</a> (cea) (Entered: 05/02/2013)
05/02/2013	<a href="#">4</a>	MOTION for Leave to Proceed in forma pauperis filed by Tom Franklin. (cea) (Entered: 05/02/2013)
05/14/2013	<a href="#">5</a>	Findings and Recommendations on Case. Plaintiffs case should be transferred to the Fort Worth Division of the Northern District of Texas. (See order for specifics) (Ordered by Magistrate Judge David L Horan on 5/14/2013) (mcrd) (Entered: 05/14/2013)
05/14/2013		***Clerk's Notice of delivery: (see NEF for details) Docket No:5. Tue May 14 14:38:16 CDT 2013 (crt) (Entered: 05/14/2013)
05/30/2013	<a href="#">6</a>	Order Adopting <a href="#">5</a> Findings and Recommendation of the United States Magistrate Judge: This case is transferred to the Fort Worth Division of the Northern District of Texas pursuant to 28 U.S.C. § 1404(a). (Ordered by Chief Judge Sidney A Fitzwater on 5/30/2013) (axm) (Entered: 05/30/2013)
05/30/2013		***Clerk's Notice of delivery: (see NEF for details) Docket No:6. Thu May 30 10:53:29 CDT 2013 (crt) (Entered: 05/30/2013)
05/30/2013		New case number 4:13-cv-00444-Y Franklin v. GMAC Mortgage et al has been opened following the order of transfer entered in case number 3:13cv1680-D. Future filings should be made in the FORT WORTH division and reflect the new case number as indicated. Clerk to complete new case processing and mail notice of this entry to any party who did not receive it electronically. (ldm) (Entered: 05/30/2013)
05/30/2013	<a href="#">7</a>	New Case Notes: A filing fee has not been paid. CASREF case referral set (see Special Order 3). Magistrate Judge Cureton preliminarily assigned. File to staff attorney DK. Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge. Clerk to provide copy to plaintiff if not received electronically. Motion(s) referred to Magistrate Judge Jeffrey L Cureton. (mdf) (Entered: 05/31/2013)
05/30/2013	<a href="#">8</a>	Notice and Instruction to Pro Se Party. (mdf) (Entered: 05/31/2013)
05/31/2013		***Clerk's Notice of delivery: (see NEF for details) Docket No:7,8. Fri May 31 12:24:56 CDT 2013 (crt) (Entered: 05/31/2013)
06/04/2013	<a href="#">9</a>	ORDER AND NOTICE OF DEFICIENCY: Tom Franklin must address the following deficiency: A filing fee has not been paid nor has a long-form application to proceed ifp supported by an executed affidavit as required by a person seeking to proceed without prepayment of fees or security therefor under 28 USC 1915(a)(1). Failure to comply with this order may lead to dismissal for failure to prosecute pursuant to FRCvP 41(b). Deadline to cure the deficiency is 30 days. See Order for further specifics. (Ordered by Magistrate Judge Jeffrey L Cureton on 6/4/2013) (krg) (Entered: 06/04/2013)
06/04/2013		***Clerk's Notice of delivery: (see NEF for details) Docket No:9. Tue Jun 4 16:16:15 CDT 2013 (crt) (Entered: 06/04/2013)

06/05/2013	<a href="#">11</a>	NOTICE OF INTERLOCUTORY APPEAL to the Fifth Circuit, received from the Fifth Circuit for processing in this office on 6/11/2013, as to <a href="#">6</a> Order Accepting/Adopting Findings and Recommendations, Order Transferring to Another Division,, by Tom Franklin, Pro Se, \$455.00 fee due. Copy of NOA to be sent US Mail to parties not electronically noticed.Copy mailed to Tom Franklin. (tle) (Entered: 06/11/2013)
06/05/2013	<a href="#">12</a>	MOTION for Leave to Proceed in forma pauperis on appeal re <a href="#">11</a> Notice of Appeal, filed by Tom Franklin. (tle) (Entered: 06/11/2013)
06/07/2013	<a href="#">10</a>	MOTION for Leave to Proceed in forma pauperis filed by Tom Franklin. (mdf) (Entered: 06/07/2013)
06/11/2013	<a href="#">13</a>	ORDER granting <a href="#">4</a> Motion for Leave to Proceed In Forma Pauperis; granting <a href="#">10</a> Motion for Leave to Proceed In Forma Pauperis: It is therefore ORDERED that Tom Franklin's motions to proceed in forma pauperis ldocket [nos. 4 and 10] be, and are hereby, GRANTED such that plaintiff Tom Franklin is authorized to proceed with the commencement of this civil suit without prepayment of fees or the necessity of giving security therefor. After docketing of this order, this action should be returned to the United States District Judge for further review and for such other action as may be deemed appropriate. (Ordered by Magistrate Judge Jeffrey L Cureton on 6/11/2013) (mdf) (Entered: 06/11/2013)
06/11/2013		***Clerk's Notice of delivery: (see NEF for details) Docket No:13. Tue Jun 11 14:48:00 CDT 2013 (crt) (Entered: 06/11/2013)
06/12/2013		***Clerk's Notice of delivery: (see NEF for details) Docket No:11. Wed Jun 12 09:16:32 CDT 2013 (crt) (Entered: 06/12/2013)
07/03/2013	<a href="#">14</a>	ORDER DENYING <a href="#">12</a> MOTION FOR LEAVE TO PROCEED ON APPEAL IN FORMA PAUPERIS: After review, the Court concludes that Franklin's motion reflects a frivolous legal position. Therefore, the Court CERTIFIES that Franklin has not taken his appeal in good faith and DENIES his motion for leave to proceed on appeal in forma pauperis. (Ordered by Judge Terry R Means on 7/3/2013) (mdf) (Entered: 07/03/2013)
07/03/2013		***Clerk's Notice of delivery: (see NEF for details) Docket No:14. Wed Jul 3 14:50:24 CDT 2013 (crt) (Entered: 07/03/2013)
08/21/2013	<a href="#">15</a>	ORDER CONSOLIDATING CASES: Member case(s) 4:13-cv-646-Y consolidated with lead case 4:13-cv-444-Y. (Ordered by Judge Terry R Means on 8/21/2013) (mdf) (Entered: 08/22/2013)
08/22/2013		***Clerk's Notice of delivery: (see NEF for details) Docket No:15. Thu Aug 22 11:02:50 CDT 2013 (crt) (Entered: 08/22/2013)
08/26/2013	<a href="#">17</a>	NOTICE OF INTERLOCUTORY APPEAL to the Fifth Circuit <a href="#">15</a> , received from the Fifth Circuit for processing in this office on 10/3/2013, by Tom Franklin. Copy of NOA to be sent US Mail to parties not electronically noticed. (tle) (Entered: 10/03/2013)
09/24/2013	<a href="#">16</a>	JUDGMENT/MANDATE of USCA #13-10613 as to <a href="#">11</a> Notice of Appeal, filed by Tom Franklin. A transfer of a civil action to another district court pursuant to

		1404 is interlocutory in nature and is not appealable prior to the entry of the final judgment. Accordingly, we are without jurisdiction and the appeal must be dismissed. All pending motions are denied as moot.IT IS SO ORDERED. Issued as Mandate: 9/12/13. (tle) (Entered: 09/24/2013)
01/16/2014	<a href="#">18</a>	JUDGMENT/MANDATE of USCA #13-11080 as to <a href="#">17</a> Notice of Appeal filed by Tom Franklin. The district court's order consolidating the plaintiff's caseS is not a final or otherwise appealable order. Accordingly, we do not have jurisdiction over this appeal and it must be dismissed. IT IS SO ORDERED. Issued as Mandate: 1/13/2014. (tle) (Entered: 01/16/2014)
01/28/2014	<a href="#">19</a>	ORDER DIRECTING PLAINTIFF TO FILE A MORE DEFINITE STATEMENT: Thus, if Franklin desires to pursue his claims in this cause, he shall file, no later than February 28, 2014, an original and one copy of a pleading entitled "Plaintiff's More Definite Statement" with the clerk of this Court. (See order for specifics.) (Ordered by Judge Terry R Means on 1/28/2014) (mdf) (Entered: 01/28/2014)
01/28/2014		***Clerk's Notice of delivery: (see NEF for details) Docket No:19. Tue Jan 28 15:07:23 CST 2014 (crt) (Entered: 01/28/2014)
03/05/2014	<a href="#">20</a>	ORDER OF DISMISSAL: After review, the Court concluded that Franklin's allegations were insufficiently specific to permit the Court to analyze his claims. Accordingly, the Court ordered Franklin to file a more definite statement no later than February 28, 2014. The Court warned Franklin that failure to comply with the Court's order may result in dismissal of his claims. Franklin has failed to respond to the Court's order. Thus, Franklin's claims against defendants are hereby DISMISSED WITHOUT PREJUDICE to their refiling. (Ordered by Judge Terry R Means on 3/5/2014) (mdf) (Entered: 03/05/2014)
03/05/2014		***Clerk's Notice of delivery: (see NEF for details) Docket No:20. Wed Mar 5 15:47:35 CST 2014 (crt) (Entered: 03/05/2014)
03/05/2014	<a href="#">21</a>	FINAL JUDGMENT: In accordance with the Court's order entered this same day and Federal Rule of Civil Procedure 58, all claims in the above-styled and -numbered cause were DISMISSED WITHOUT PREJUDICE. All costs under 28 U.S.C. § 1920 are taxed against the party incurring same. (Ordered by Judge Terry R Means on 3/5/2014) (mdf) (Entered: 03/05/2014)
03/05/2014		***Clerk's Notice of delivery: (see NEF for details) Docket No:21. Wed Mar 5 15:52:08 CST 2014 (crt) (Entered: 03/05/2014)
03/10/2014	<a href="#">22</a>	NOTICE OF APPEAL to the Fifth Circuit, received from the Fifth Circuit for processing in this office on 3/10/14, as to <a href="#">20</a> Order of Dismissal or Administrative Closure, <a href="#">21</a> Judgment, by Tom Franklin. Copy of NOA to be sent US Mail to parties not electronically noticed. (tle) (Entered: 03/10/2014)
04/02/2014		Record on Appeal for USCA5 14-10291 (related to <a href="#">22</a> appeal): Record consisting of: 1 ECF electronic record,1 ECF electronic record member case (4:13-CV-646) certified to USCA. To request a copy of the record (on disk or on paper), <a href="#">contact the appeals deputy</a> in advance to arrange delivery. (tle) (Entered: 04/02/2014)

07/15/2014	<a href="#">23</a>	JUDGMENT/MANDATE of USCA #14-10291 as to <a href="#">22</a> Notice of Appeal, filed by Tom Franklin. Under 5th CIR.R.42.3, the appeal is dismissed as of July 8, 2014, for want of prosecution. The appellant failed to timely file record excerpts. ENTERED AT THE DIRECTION OF THE COURT. Issued as Mandate: 7/8/14. (tle) (Entered: 07/15/2014)
11/12/2014	<a href="#">24</a>	Received letter from United States Court of Appeals Fifth Circuit re:No. 14-10291. Enclosed is a copy of the Supreme Court Order denying certiorari. The petition for a writ of certiorari is denied. (tle) (Entered: 11/12/2014)

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<b>Billable Pages:</b>	4	<b>Cost:</b>	0.40

**Exhibit 8-B**

General Docket  
United States Court of Appeals for the 5th Circuit

<b>Court of Appeals Docket #:</b> 13-10613 <b>Nature of Suit:</b> 3220 Foreclosure Tom Franklin v. GMAC Mortgage, et al <b>Appeal From:</b> Northern District of Texas, Fort Worth <b>Fee Status:</b> Fee Due	<b>Docketed:</b> 06/13/2013 <b>Termed:</b> 09/11/2013
<b>Case Type Information:</b> 1) Private Civil Federal 2) Private 3)	
<b>Originating Court Information:</b> <b>District:</b> 0539-4 : <a href="#">4:13-CV-444</a> <b>Originating Judge:</b> Sidney A. Fitzwater, U.S. District Judge <b>Date Filed:</b> 05/02/2013 <b>Date NOA Filed:</b> 06/05/2013 <b>Date Rec'd COA:</b> 06/11/2013	
<b>Prior Cases:</b> None	
<b>Current Cases:</b> None	
<b>Panel Assignment:</b> Not available	

TOM FRANKLIN Plaintiff - Appellant	Tom Franklin Direct: 817-293-2960 [NTC Pro Se] 5633 Oak Grove Road Fort Worth, TX 76134-0000
v.	
GMAC MORTGAGE Defendant - Appellee	
US NATIONAL BANK ASSOCIATION Defendant - Appellee	




TOM FRANKLIN,

Plaintiff - Appellant

v.

GMAC MORTGAGE; US NATIONAL BANK ASSOCIATION,

Defendants - Appellees

06/13/2013	<input type="checkbox"/> 	PRIVATE CIVIL FEDERAL CASE docketed. NOA filed by Appellant Mr. Tom Franklin [13-10613] (NFD)
	4 pg, 158.71 KB	
06/26/2013	<input type="checkbox"/>	INITIAL CASE CHECK by Attorney Advisor complete, Initial AA Check Due satisfied. [13-10613] (SRF)
07/03/2013	<input type="checkbox"/>	DISTRICT COURT ORDER of 07/03/2013 denying IFP for Appellant Mr. Tom Franklin. Fee due on 07/03/2013 for Appellant Tom Franklin (DC Order - The court certifies that Franklin has not taken his appeal in good faith and DENIES his motion to proceed in forma pauperis.) [13-10613] (CNF)
07/12/2013	<input type="checkbox"/> 	MOTION filed by Appellant Mr. Tom Franklin to proceed in forma pauperis [7409356-2] Fee deadline canceled. [13-10613] (CNF)
	2 pg, 40.76 KB	
09/11/2013	<input type="checkbox"/> 	COURT ORDER dismissing appeal for lack of jurisdiction [7455065-2]; denying as moot motion to proceed IFP filed by Appellant Mr. Tom Franklin (IN DETAIL) <a href="#">[7409356-2]</a> . Judge: EBC , Judge: JWE , Judge: SAH [13-10613] (CNF)
	3 pg, 121.3 KB	



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Description:	Docket Report (full)	Search Criteria:	13-10613
Billable Pages:	1	Cost:	0.10

**Exhibit 8-C**

General Docket  
United States Court of Appeals for the 5th Circuit

<b>Court of Appeals Docket #:</b> 14-10291		<b>Docketed:</b> 03/14/2014
<b>Nature of Suit:</b> 3220 Foreclosure		<b>Termed:</b> 07/08/2014
Tom Franklin v. GMAC Mortgage, et al		
<b>Appeal From:</b> Northern District of Texas, Fort Worth		
<b>Fee Status:</b> In Forma Pauperis		
<b>Case Type Information:</b> 1) Private Civil Federal 2) Private 3)		
<b>Originating Court Information:</b> <b>District:</b> 0539-4 : <a href="#">4:13-CV-444</a> <b>Originating Judge:</b> Terry R. Means, U.S. District Judge <b>Date Filed:</b> 05/02/2013 <b>Date NOA Filed:</b> 03/10/2014 <b>Date Rec'd COA:</b> 03/10/2014  <b>District:</b> 0539-4 : <a href="#">4:13-CV-646</a> <b>Originating Judge:</b> Terry R. Means, U.S. District Judge <b>Date Filed:</b> 08/12/2013 <b>Date NOA Filed:</b> 03/10/2014 <b>Date Rec'd COA:</b> 03/10/2014		
<b>Prior Cases:</b> <a href="#">13-10613</a> <b>Date Filed:</b> 06/13/2013 <b>Date Disposed:</b> 09/11/2013 <b>Disposition:</b> Dismissed <a href="#">13-11080</a> <b>Date Filed:</b> 10/07/2013 <b>Date Disposed:</b> 01/13/2014 <b>Disposition:</b> Dismissed		
<b>Current Cases:</b> None		
<b>Panel Assignment:</b> Not available		

TOM FRANKLIN Plaintiff - Appellant	Tom Franklin Direct: 817-293-2960 [NTC Pro Se] 5633 Oak Grove Road Fort Worth, TX 76134-0000
v.	
GMAC MORTGAGE Defendant - Appellee	
US NATIONAL BANK ASSOCIATION Defendant - Appellee	

TOM FRANKLIN,

Plaintiff - Appellant

v.

GMAC MORTGAGE; US NATIONAL BANK ASSOCIATION,

Defendants - Appellees

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TOM FRANKLIN

Plaintiff - Appellant

v.

GMAC MORTGAGE

Defendant - Appellee

03/14/2014	<input type="checkbox"/> 	PRIVATE CIVIL FEDERAL CASE docketed. NOA filed by Appellant Mr. Tom Franklin [14-10291] (RSM)
	4 pg, 270.02 KB	
03/18/2014	<input type="checkbox"/> 	INITIAL CASE CHECK by Attorney Advisor complete, Action: Case OK to Process. [7589069-2] Initial AA Check Due satisfied.. Electronic ROA due on 04/02/2014. [14-10291] (NFD)
	1 pg, 63.58 KB	
03/31/2014	<input type="checkbox"/>	ELECTRONIC RECORD ON APPEAL FILED. Exhibits on File in District Court? No. Electronic ROA deadline satisfied. [14-10291] (NFD)
03/31/2014	<input type="checkbox"/> 	BRIEFING NOTICE ISSUED A/Pet's Brief Due on 05/12/2014 for Appellant Tom Franklin. [14-10291] (NFD)
	3 pg, 83.32 KB	
04/21/2014	<input type="checkbox"/> 	APPELLANT'S BRIEF FILED by Mr. Tom Franklin . Brief NOT Sufficient : Caption Incorrect AND Binding. Instructions to Attorney: PLEASE READ THE ATTACHED NOTICE FOR INSTRUCTIONS ON HOW TO REMEDY THE DEFAULT. # of Copies Provided: 7 A/Pet's Brief deadline satisfied. Sufficient Brief due on 05/16/2014 for Appellant Tom Franklin.. Record Excerpts due on 05/16/2014 for Appellant Tom Franklin [14-10291] (NFD)
	23 pg, 543.91 KB	
05/02/2014	<input type="checkbox"/>	BRIEFING COMPLETE. [14-10291] (NFD)
06/10/2014	<input type="checkbox"/> 	DISMISSAL NOTICE ISSUED for failure to file sufficient appellant's brief [7654132-2] Sufficient brief deadline canceled.. DIS-1 Remedy due on 06/25/2014 for Appellant Tom Franklin, failure to file record excerpts [7654132-3] Record Excerpts deadline canceled.. DIS-1 Remedy due on 06/25/2014 for Appellant Tom Franklin. [14-10291] (NFD)
	1 pg, 60.54 KB	
06/20/2014	<input type="checkbox"/> 	MOTION filed by Appellant Mr. Tom Franklin for leave to file sufficient brief and record excerpts out of time [7663646-2] - Brief Tendered? No. Date of service: 06/16/2014 [14-10291] (MCS)
	4 pg, 72.83 KB	
06/20/2014	<input type="checkbox"/> 	CLERK ORDER denying motion to file sufficient appellant's brief and record excerpts out of time filed by Appellant Mr. Tom Franklin [7663646-2]. [14-10291] (MCS)
	1 pg, 53.68 KB	
07/08/2014	<input type="checkbox"/>	BRIEF MADE SUFFICIENT filed by Appellant Mr. Tom Franklin in 14-10291 [7624932-2]. [14-10291] (NFD)
07/08/2014	<input type="checkbox"/> 	CLERK ORDER dismissing appeal pursuant to 5th Circuit Rule 42 for failure to file record excerpts [7675944-2] [14-10291] (NFD)
	3 pg, 105.77 KB	
08/22/2014	<input type="checkbox"/> 	SUPREME COURT NOTICE that petition for writ of certiorari [7712613-2] was filed by Appellant Mr. Tom Franklin on 07/15/2014. Supreme Court Number: 14-5896. [14-10291] (CAV)
	1 pg, 55.94 KB	
11/04/2014	<input type="checkbox"/> 	SUPREME COURT ORDER received denying petition for writ of certiorari filed by Appellant Mr. Tom Franklin in 14-10291 on 11/03/2014. [7768510-1] [14-10291] (LGL)
	2 pg, 119.07 KB	

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Billable Pages:	1	Cost:	0.10

**Exhibit 9**

CLOSED

**U.S. District Court  
District of Delaware (Wilmington)  
CIVIL DOCKET FOR CASE #: 1:13-cv-01086-GMS**

Franklin v. GMAC Mortgage  
Assigned to: Judge Gregory M. Sleet  
Demand: \$10,000,000  
Related Case: [1:13-cv-01100-GMS](#)  
Case in other court: 3rd Circuit, 13-03415  
Cause: 15:1692 Fair Debt Collection Act

Date Filed: 06/17/2013  
Date Terminated: 08/12/2013  
Jury Demand: Plaintiff  
Nature of Suit: 220 Real Property:  
Foreclosure  
Jurisdiction: Federal Question

**Plaintiff**

**Tom Franklin**

represented by **Tom Franklin**  
5633 Oak Grove Road  
Fort Worth, TX 76134  
PRO SE

V.

**Defendant**

**GMAC Mortgage**

Date Filed	#	Docket Text
06/17/2013	<a href="#">1</a>	MOTION for Leave to Proceed in forma pauperis - filed by Tom Franklin. (cla, ) (Entered: 06/18/2013)
06/17/2013	<a href="#">2</a>	COMPLAINT/Petition for Declaratory Judgment filed Pro Se with Jury Demand against GMAC Mortgage - filed by Tom Franklin. (Attachments: # <a href="#">1</a> Civil Cover Sheet)(cla, ) (Entered: 06/18/2013)
06/17/2013	<a href="#">3</a>	Notice, Consent and Referral forms re: U.S. Magistrate Judge jurisdiction (cla, ) (Entered: 06/18/2013)
06/19/2013		Case Assigned to Judge Gregory M. Sleet. Please include the initials of the Judge (GMS) after the case number on all documents filed. (rjb) (Entered: 06/19/2013)
06/21/2013	<a href="#">4</a>	ORDER - granting <a href="#">1</a> Motion for Leave to Proceed in forma pauperis. Signed by Judge Gregory M. Sleet on 6/20/13. (mdb) (Entered: 06/21/2013)
07/29/2013	<a href="#">5</a>	MEMORANDUM ORDER transferring action to the United States District Court for the Northern District of Texas. Signed by Judge Gregory M. Sleet on 7/26/13. (cla, ) (Entered: 07/29/2013)
08/01/2013	<a href="#">7</a>	



		NOTICE OF APPEAL - of <a href="#">5</a> Memorandum Order. Appeal filed by Tom Franklin. (No Fee Paid, No IFP)(TPO Mailed). (mdb) (Entered: 08/07/2013)
08/07/2013	<a href="#">6</a>	USCA Letter to District Court Clerk regarding forwarding Notice of Appeal on behalf of Tom Franklin to District Court. (Attachments: # <a href="#">1</a> clerk's letter)(ld, ) (Entered: 08/07/2013)
08/12/2013	<a href="#">8</a>	NOTICE of Docketing Record on Appeal from USCA for the Third Circuit re <a href="#">7</a> Notice of Appeal filed by Tom Franklin. USCA Case Number 13-3415. USCA Case Manager: TMM (DOCUMENT IS RESTRICTED AND CAN ONLY BE VIEWED BY COURT STAFF) (sc) (Entered: 08/12/2013)
08/12/2013		Case transferred to the Northern District of Texas. Original file, certified copy of transfer order, and docket sheet sent. (cla, ) (Entered: 08/12/2013)
08/14/2013	<a href="#">9</a>	Remark: acknowledgement of receipt of transfer case. (cla, ) (Entered: 08/14/2013)
10/21/2013	<a href="#">10</a>	USCA Order Terminating Appeal appeal is dismissed for lack of jurisdiction because the District Court's order is not appealable at this time. (Entered: 10/21/2013)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
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<b>PACER Login:</b>	rc7991:4245705:0	<b>Client Code:</b>	Rescap
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<b>Billable Pages:</b>	1	<b>Cost:</b>	0.10

**Exhibit 9-A**

CLOSED, MEMBER

**U.S. District Court  
Northern District of Texas (Fort Worth)  
CIVIL DOCKET FOR CASE #: 4:13-cv-00646-Y**

Franklin v. GMAC Mortgage  
Assigned to: Judge Terry R Means  
Demand: \$9,999,000  
Lead case: [4:13-cv-00444-Y](#)  
Member case: [\(View Member Case\)](#)  
Case in other court: Delaware, 1:13-cv-01086  
Cause: 15:1692 Fair Debt Collection Act

Date Filed: 08/12/2013  
Date Terminated: 08/21/2013  
Jury Demand: Plaintiff  
Nature of Suit: 220 Real Property:  
Foreclosure  
Jurisdiction: Federal Question

**Plaintiff**

**Tom Franklin**

represented by **Tom Franklin**  
5633 Oak Grove Road  
Fort Worth, TX 76134  
PRO SE

V.

**Defendant**

**GMAC Mortgage**

Date Filed	#	Docket Text
06/17/2013	<a href="#">1</a>	MOTION for Leave to Proceed in forma pauperis - filed by Tom Franklin. (cla, ) [Transferred from Delaware on 8/13/2013.] (Entered: 06/18/2013)
06/17/2013	<a href="#">2</a>	COMPLAINT/Petition for Declaratory Judgment filed Pro Se with Jury Demand against GMAC Mortgage - filed by Tom Franklin. (Attachments: # <a href="#">1</a> Civil Cover Sheet)(cla, ) [Transferred from Delaware on 8/13/2013.] (Entered: 06/18/2013)
06/17/2013	<a href="#">3</a>	Notice, Consent and Referral forms re: U.S. Magistrate Judge jurisdiction (cla, ) [Transferred from Delaware on 8/13/2013.] (Entered: 06/18/2013)
06/19/2013		Case Assigned to Judge Gregory M. Sleet. Please include the initials of the Judge (GMS) after the case number on all documents filed. (rjb) [Transferred from Delaware on 8/13/2013.] (Entered: 06/19/2013)
06/21/2013	<a href="#">4</a>	ORDER - granting <a href="#">1</a> Motion for Leave to Proceed in forma pauperis. Signed by Judge Gregory M. Sleet on 6/20/13. (mdb) [Transferred from Delaware on 8/13/2013.] (Entered: 06/21/2013)
07/29/2013	<a href="#">5</a>	MEMORANDUM ORDER transferring action to the United States District Court for the Northern District of Texas. Signed by Judge Gregory M. Sleet on

		7/26/13. (cla, ) [Transferred from Delaware on 8/13/2013.] (Entered: 07/29/2013)
08/01/2013	<u>7</u>	NOTICE OF APPEAL - of <u>5</u> Memorandum Order. Appeal filed by Tom Franklin. (No Fee Paid, No IFP)(TPO Mailed). (mdb) [Transferred from Delaware on 8/13/2013.] (Entered: 08/07/2013)
08/07/2013	<u>6</u>	USCA Letter to District Court Clerk regarding forwarding Notice of Appeal on behalf of Tom Franklin to District Court. (Attachments: # <u>1</u> clerk's letter)(ld, ) [Transferred from Delaware on 8/13/2013.] (Entered: 08/07/2013)
08/12/2013	<u>8</u>	NOTICE of Docketing Record on Appeal from USCA for the Third Circuit re <u>7</u> Notice of Appeal filed by Tom Franklin. USCA Case Number 13-3415. USCA Case Manager: TMM (DOCUMENT IS RESTRICTED AND CAN ONLY BE VIEWED BY COURT STAFF) (sc) [Transferred from Delaware on 8/13/2013.] (Entered: 08/12/2013)
08/12/2013		Case transferred to the Northern District of Texas. Original file, certified copy of transfer order, and docket sheet sent. (cla, ) [Transferred from Delaware on 8/13/2013.] (Entered: 08/12/2013)
08/12/2013	<u>9</u>	Case electronically transferred in from District of Delaware; Case Number 1:13-cv-01086. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas should seek admission promptly. Forms, instructions, and exemption information may be found at <a href="http://www.txnd.uscourts.gov">www.txnd.uscourts.gov</a> , or by clicking here: <a href="#">Attorney Information - Bar Membership</a> . Copy of NEF to be sent US Mail to parties not electronically noticed. (Entered: 08/13/2013)
08/12/2013	<u>10</u>	New Case Notes: IFP Granted in District of Delaware. File to Judge McBryde. Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge. Clerk to provide copy to plaintiff if not received electronically. (npk) (Entered: 08/13/2013)
08/12/2013	<u>11</u>	Notice and Instruction to Pro Se Party (npk) (Entered: 08/13/2013)
08/13/2013	<u>12</u>	***VACATED PER <u>14</u> ORDER*** Standing ORDER Concerning Paper Filing in Cases Assigned to District Judge John McBryde...see order for specifics. (Ordered by Judge John McBryde on 8/13/2013) (npk) (Entered: 08/13/2013)
08/13/2013		***Clerk's Notice of delivery: (see NEF for details) Docket No:10,11,12. Tue Aug 13 15:58:49 CDT 2013 (crt) (Entered: 08/13/2013)
08/19/2013	<u>13</u>	ORDER OF TRANSFER. It has come to the court's attention that this action involves similar factual and legal issues as those presented in civil Action No. 4:13-CV-444-Y, currently pending before united States District Judge Terry Means. Therefore, The court ORDERS that the above-captioned action be, and is hereby, transferred to the docket of the Honorable Judge Terry R Means for all further proceedings. Judge John McBryde no longer assigned to case. (Ordered by Judge John McBryde on 8/19/2013) (npk) (Entered: 08/20/2013)
08/20/2013		***Clerk's Notice of delivery: (see NEF for details) Docket No:13. Tue Aug 20 13:25:48 CDT 2013 (crt) (Entered: 08/20/2013)

08/20/2013	<a href="#">14</a>	ORDER VACATING STANDING ORDER CONCERNING PAPER FILING: On August 19, this case was transferred to the "Y" docket for possible consolidation with a related case. Prior to its transfer, document number 12, Standing Order Concerning Paper Filing was filed. Since all cases on the "Y" docket are subject to the electronic-case filing system, document number 12 is VACATED. (see order for further instruction) (Ordered by Judge Terry R Means on 8/20/2013) (mpw) (Entered: 08/20/2013)
08/20/2013		***Clerk's Notice of delivery: (see NEF for details) Docket No:14. Tue Aug 20 16:12:44 CDT 2013 (crt) (Entered: 08/20/2013)
08/21/2013	<a href="#">15</a>	ORDER CONSOLIDATING CASES: Member case(s) 4:13-cv-646-Y consolidated with lead case 4:13-cv-444-Y. All future docketing should be in lead case 4:13-cv-444-Y. (Ordered by Judge Terry R Means on 8/21/2013) (mdf) (Entered: 08/22/2013)
08/22/2013		***Clerk's Notice of delivery: (see NEF for details) Docket No:. Thu Aug 22 10:59:54 CDT 2013 (crt) (Entered: 08/22/2013)
08/22/2013		***Clerk's Notice of delivery: (see NEF for details) Docket No:15. Thu Aug 22 11:00:05 CDT 2013 (crt) (Entered: 08/22/2013)
11/12/2014	<a href="#">16</a>	Received letter from United States Court of Appeals Fifth Circuit re:No. 14-10291. Enclosed is a copy of the Supreme Court Order denying certiorari. The petition for a writ of certiorari is denied. (tle) (Entered: 11/12/2014)

<b>PACER Service Center</b>			
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<b>PACER Login:</b>	rc7991:4245705:0	<b>Client Code:</b>	Rescap
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<b>Billable Pages:</b>	2	<b>Cost:</b>	0.20

**Exhibit 9-B**

General Docket  
Third Circuit Court of Appeals

<b>Court of Appeals Docket #:</b> 13-3415		<b>Docketed:</b> 08/12/2013
<b>Nature of Suit:</b> 3220 Foreclosure		<b>Termed:</b> 10/21/2013
Tom Franklin v. GMAC Mortgage		
<b>Appeal From:</b> United States District Court for the District of Delaware		
<b>Fee Status:</b> IFP		
<b>Case Type Information:</b> 1) civil 2) private 3) Federal question		
<b>Originating Court Information:</b> <b>District:</b> 0311-1 : <a href="#">1-13-cv-01086</a> <b>Trial Judge:</b> Gregory M. Sleet, U.S. District Judge <b>Date Filed:</b> 06/17/2013 <b>Date Order/Judgment:</b> 07/29/2013 <b>Date Order/Judgment EOD:</b> 07/29/2013 <b>Date NOA Filed:</b> 08/01/2013		
<b>Prior Cases:</b> None		
<b>Current Cases:</b> None		

TOM FRANKLIN Plaintiff - Appellant	Tom Franklin [NTC Pro Se] 5633 Oak Grove Road Fort Worth, TX 76134
v.	
GMAC MORTGAGE CORP Defendant - Appellee	







TOM FRANKLIN,

Appellant

v.

GMAC MORTGAGE



08/12/2013	<input type="checkbox"/> 	CIVIL CASE DOCKETED. Notice filed by Appellant Tom Franklin in District Court No. 1-13-cv-01086. (SLC)
08/12/2013	<input type="checkbox"/>	RECORD available on District Court CM/ECF. (SLC)
08/12/2013	<input type="checkbox"/> 	MOTION filed by Appellant Tom Franklin to Proceed In Forma Pauperis. Certificate of Service dated 07/30/2013. (TMM)
08/14/2013	<input type="checkbox"/> 	LEGAL DIVISION LETTER SENT advising that the case has been listed for possible dismissal due to jurisdictional defect. (EAL)
08/19/2013	<input type="checkbox"/> 	ORDER (Clerk) It appearing that the District court granted the Motion to proceed in forma pauperis, no action will be taken on the motion as it is unnecessary, filed. (TMM)
08/22/2013	<input type="checkbox"/> 	RESPONSE on behalf of Appellant Tom Franklin to Legal Division letter advising of possible dismissal, filed. Certificate of Service dated 08/14/2013. (TMM)
10/21/2013	<input type="checkbox"/> 	ORDER (HARDIMAN, GREENAWAY JR. and SCIRICA, Circuit Judges) appeal is dismissed for lack of jurisdiction because the District Court's order is not appealable at this time, filed. Panel No.: BLD-437. Greenaway, Jr., Authoring Judge. (TMM)

Clear All

☒ Documents and Docket Summary

☐ Documents Only

☐ Include Page Numbers

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Totals reflect accessible documents only and do not include unauthorized restricted documents.

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